



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding DTZ NANAIMO REAL ESTATE LTD. & BUCKINGHAMS BROWSARIUM
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC FF

Introduction

This hearing dealt with the tenants' Application for Dispute Resolution, seeking to cancel a 1 Month Notice to End Tenancy for Cause although a 2 Month Notice to End Tenancy for Landlord's Use of Property dated December 30, 2015 was submitted in evidence. The tenants have also applied for the recovery of the cost of the filing fee.

An agent for the landlord (the "agent") and the new owner of the property appeared at the teleconference hearing; however, the applicant tenants did not attend the teleconference hearing. The telephone line remained open for 10 minutes and the only participants who called into the hearing during this time was the agent for the respondent landlord and the new owner of the property.

After the ten minute waiting period, the tenants' application was **dismissed, without leave to reapply**. The agent testified that the tenants have vacated the rental unit and as result, the landlord does not require an order of possession.

Conclusion

The tenants' application has been dismissed without leave to reapply.

This decision is final and binding on the parties, except as otherwise provided under the Act, and is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: March 1, 2016

Residential Tenancy Branch

