



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding PODOLLAN CONSTRUCTION LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR

### Introduction

This hearing convened as a result of a Tenants' Application for Dispute Resolution wherein they sought to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities issued August 5, 2016 (the "Notice").

Only the Landlord's Property Manager, A.B., appeared at the hearing. She confirmed that she is the property manager, not the Landlord. Pursuant to section 64(3)(c) of the *Residential Tenancy Act* I amend the Tenant's Application for Dispute Resolution to accurately name the Landlord.

The hearing was scheduled to begin at 9:00 a.m. on this date, September 23, 2016. The phone lines were monitored for 10 minutes and the only participant who called into the hearing during that time was A.B.

As the Applicant Tenants did not attend the hearing by 9:10, and the Respondent Landlord appeared and was ready to proceed, I dismiss the Tenants' claim without leave to reapply.

A.B. testified that the Tenants failed to pay the outstanding rent as noted on the Notice, as well as failing to pay rent for September 2016.

Having dismissed the Tenants' Application to cancel the Notice, I award the Landlord an Order of Possession pursuant to section 55 of the *Residential Tenancy Act*. This Order will be effective two (2) days after service on the Tenants and may be filed and enforced in the B.C. Supreme Court as an Order of that Court.

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: September 23, 2016

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Residential Tenancy Branch