



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, MNDC, FF

Introduction

This matter was set for hearing at 09.00 a.m. on this date to hear the tenants' application to dispute a Two Month Notice to End Tenancy for landlord's use of the property, for a Monetary Order for money owed or compensation for damage or loss and to recover the filing fee paid for this application.

The hearing went ahead as scheduled the respondent did appear and was ready to proceed. The line remained open for 13 minutes; however, no one for the tenants dialed into the call.

Rule 7.1 of the Residential Tenancy Branch Rules of Procedure provides as follows:

Commencement of Hearing: The Dispute Resolution Hearing will commence at the scheduled time unless otherwise set by the Arbitrator. Rule 7.3 provides for the consequences of not attending the hearing and states: If a party or their agent fails to attend the hearing, the Arbitrator may conduct the Dispute Resolution Hearing in the absence of that party, or dismiss the application with or without leave to reapply.

Based on the above I find that since the tenants did not appear at the hearing by 9.13 a.m., I dismiss the tenants' application without leave to reapply pursuant to rule 7.3 of the Residential Tenancy Branch *Rules of Procedure*.

The landlord advised that the tenants have vacated the rental unit on October 05, 2016.

This decision 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: October 27, 2016

Residential Tenancy Branch