



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding WIDSTEN PROPERTY MANAGEMENT INC.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR MNR FF

Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution, received at the Residential Tenancy Branch on October 5, 2016 (the "Application"). The Tenants applied for the following relief pursuant to the *Residential Tenancy Act* (the "Act"):

- an order cancelling a notice to end tenancy for unpaid rent or utilities;
- a monetary order for the cost of emergency repairs; and
- an order granting recovery of the filing fee.

This matter was set for hearing by telephone conference call at 11:00 A.M. (Pacific Time) on November 28, 2016. The line remained open while the phone system was monitored for 10 minutes and the only participant who called into the hearing during this time was the Respondent. Therefore, as the Applicants did not attend the hearing by 11:10 A.M., and the Respondent appeared and was ready to proceed, I dismiss the Application without leave to reapply.

When a tenant's application to cancel a notice to end tenancy is dismissed, section 55 of the *Act* requires that I issue an order of possession in favour of the landlord if the notice complies with section 52 of the *Act*. However, the Landlord was issued an order of possession with respect to this tenancy on September 27, 2016. It is not necessary for me to issue another.

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: November 28, 2016

Residential Tenancy Branch