



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

CNR; RR; O

Introduction

This is the Tenants' Application for Dispute Resolution seeking to cancel a notice to end tenancy; a rent reduction; and "other" orders.

This matter was scheduled to be heard at 9:30 a.m., November 23, 2016. The Landlord signed into the Hearing; however, the Tenants did not. The Hearing remained open for 13 minutes. As the Tenants/Applicants did not attend the Hearing, their Application was **dismissed without leave to reapply**.

The Landlord stated that the Tenants are still living in the rental unit.

The Tenants' Application discloses that they received the notice to end tenancy on October 3, 2016. The notice to end tenancy is a 10 Day Notice to End Tenancy for Unpaid Rent. Therefore, I find that the effective date of the Notice is October 13, 2015.

I find that the Notice complies with Section 52 of the Act. Further to the provisions of Section 55(1) of the Act, I find that the Landlord is entitled to an Order of Possession.

After the Hearing was concluded, it came to my attention that the Landlord had also made an Application for an order of possession and a monetary order. Unfortunately, I did not have the Landlord's file at the time of the Hearing. I give the Landlord leave to reapply for monetary orders.

Conclusion

The Tenants' Application is **dismissed without leave to reapply**.

The Landlord may re-apply for monetary orders.

I hereby provide the Landlord with an **Order of Possession effective 2 days after service of the Order upon the Tenants.** This Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

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 23, 2016

Residential Tenancy Branch