



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 6 – 4 Bldg Mtc.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This hearing was scheduled to convene at 11:00 a.m. this date by way of conference call concerning an application made by the tenants seeking an order cancelling a notice to end the tenancy for cause.

An agent for the landlord attended the hearing, however the line remained open while the phone system was monitored for in excess of 10 minutes and no one for the tenants joined the call during that time. Therefore, I dismissed the tenants' application.

The *Residential Tenancy Act* states that where I dismiss a tenant's application to cancel a notice to end a tenancy given by a landlord, I must grant an Order of Possession in favour of the landlord, so long as the notice given is in the approved form. I have reviewed the 1 Month Notice to End Tenancy for Cause provided by the tenants as evidence for this hearing. It is dated January 1, 2017 and contains an effective date of vacancy of January 31, 2017, and I find that it is in the approved form. However, since the effective date of vacancy is less than one full month as required, pursuant to Section 53 of the *Residential Tenancy Act*, the effective date of vacancy is changed to February 28, 2017.

Having dismissed the tenants' application, I hereby grant an Order of Possession in favour of the landlord effective February 28, 2017 at 1:00 p.m. and the tenancy will end at that time.

Conclusion

For the reasons set out above, the tenants' application is hereby dismissed without leave to reapply.

I hereby grant an Order of Possession in favour of the landlord effective February 28, 2017 at 1:00 p.m. and the tenancy will end at that time.

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: February 22, 2017

Residential Tenancy Branch

