



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MNDC

Introduction

This hearing dealt with the tenants' application for:
cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the "10 Day Notice"), pursuant to section 46; and
a monetary order for compensation for damage or loss under the *Act*, regulation or tenancy agreement pursuant to section 67.

Analysis

This matter was set for hearing by telephone conference call at 11:00 a.m. on this date. The line remained open while the phone system was monitored for ten 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 tenants' claim without leave to reapply.

Section 55(1) of the *Act* reads in part as follows:

55 (1) *If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant to the landlord an order of possession of the rental unit if*

(a) the landlord's notice to end tenancy complies with section 52..., and

(b) the director, during the dispute resolution proceeding, dismisses the tenant's application or upholds the landlord's notice...

I am satisfied that the landlord's 10 Day Notice complies with the requirements of section 52 as it signed and dated by the landlord, provides the dispute address, states the effective date of the notice and the grounds for ending the tenancy. Accordingly, I issue an Order of Possession to the landlord pursuant to section 55 of the *Act*.

Conclusion

The tenants' application is dismissed.

I grant an Order of Possession to the landlord effective **2 days after service on the tenant**. Should the tenants or anyone on the premises fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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 10, 2017

Residential Tenancy Branch