



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, OPR, MNR, FF

Introduction

This hearing was scheduled for 11:00 a.m. on this date, via teleconference call, to deal with cross applications. The tenants applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent. The landlords applied for an Order of Possession and Monetary Order for unpaid rent. The tenants were present at the commencement of the hearing but the landlords did not appear despite leaving the teleconference call open until 11:11 a.m.

As for the tenants' application, the tenants testified that they served the male landlord with their Application for Dispute Resolution in person at the rental unit on or about March 15, 2017. The tenants also testified that they have since vacated the rental unit and returned the keys to the landlord. Since the tenants have vacated the rental unit I found their request to cancel the 10 Day Notice to End Tenancy for Unpaid Rent to be moot. Also, in these circumstances an Order of Possession is no longer required by the landlords and I do not provide one with this decision.

The tenants confirmed that the landlord served them with the landlords' Application for Dispute Resolution and they were prepared to respond to the landlords' monetary claims against them. Given the landlords' failure to appear at the hearing I dismissed the landlords' claims against the tenants without leave to reapply.

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: April 12, 2017

Residential Tenancy Branch