



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNR, FF

Introduction

This hearing convened as a result of a Tenants' Application for Dispute Resolution wherein the Tenants requested an Order canceling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, more time pursuant to section 66 of the *Residential Tenancy Act* to make such an application and to recover the filing fee.

The hearing was conducted by teleconference on September 19, 2017 and was set for hearing by telephone conference call at 9:00 a.m. The line remained open while the phone system was monitored until 9:10 a.m. and the only participants who called into the hearing during this time were the Respondent Landlords.

Analysis and Conclusion

Rules 7.1 and 7.3 of the *Residential Tenancy Branch Rules of Procedure* provide as follows:

Commencement of Hearing:

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

Consequences of not attending the hearing

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

As the Applicant Tenants did not attend the hearing by 9:10 a.m., and the Landlords appeared and were ready to proceed, I dismiss the Tenants' claim without leave to reapply.

Pursuant to section 55(1) of the *Residential Tenancy Act*, **I grant the Landlords an Order of Possession effective two(2) days after service on the Tenants.** The Landlord must serve the Order on the Tenants and may file and enforce the Order in the B.C. Supreme Court.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: September 19, 2017

Residential Tenancy Branch