



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, FFT

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the Act) for:

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the "1 Month Notice") pursuant to section 47;
- an order that the landlord comply with the Act, regulations or tenancy agreement pursuant to section 62; and
- authorization to recover the filing fees for this application from the landlord pursuant to section 72.

This matter was set for hearing by telephone conference call at 9:00 am on this date. The line remained open while the phone system was monitored for fifteen minutes and the only participant who called into the hearing during this time was the respondent. Therefore, as the applicant did not attend the hearing by 9:10 am, and the respondent appeared and was ready to proceed, I dismiss the claim without leave to reapply.

While I have dismissed the tenant's application the landlord testified that the tenants have vacated the rental unit and this tenancy has ended. They said that an order of possession is neither required nor sought. Accordingly, I decline to issue an order of possession.

Conclusion

The tenant's application is dismissed 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: May 18, 2018

Residential Tenancy Branch