



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNR, OLC

Introduction

On May 4, 2018, the Tenants submitted an Application for Dispute Resolution under the *Residential Tenancy Act* ("the Act") seeking more time to make an application to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.

This matter was set for hearing by telephone conference call at 9:00 am on this date. The Landlord attended the hearing; however the Tenants did not. The line remained open while the phone system was monitored for ten minutes and the Tenants did not call into the hearing during this time.

The Landlord testified that the Tenants were evicted from the rental unit on May 15, 2018, by bailiffs.

The Residential Tenancy Branch case management system indicates that the Landlord applied for an order of possession for the rental unit and a monetary order for unpaid rent by way of an ex parte Direct Request proceeding under section 55 (4) of the Act.

Based on the documentary evidence provided by the Landlord, which included a copy of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated April 6, 2018, the Arbitrator found that the Tenants did not pay the rent and did not dispute the 10 Day Notice within the dispute period. On April 23, 2018, the Landlord was granted an order of possession effective two days after service on the Tenants.

There is no record that the Tenants applied for a review of the April 23, 2018, Decision.

I find that the tenancy has ended based on unpaid rent and an undisputed 10 Day Notice to End Tenancy and an order of possession and monetary order was granted to the Landlord.

The Tenants failed to attend this hearing, and their application for more time to dispute the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated April 6, 2018 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: June 19, 2018

Residential Tenancy Branch