



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, ERP, FFT, OLC

Introduction

On August 17, 2018, the Tenants applied for a Dispute Resolution proceeding seeking to Cancel a Ten-Day Notice to End Tenancy for Unpaid Rent pursuant to Section 46 of the *Residential Tenancy Act* (the “*Act*”), seeking an Emergency Repair Order pursuant to Section 62 of the *Act*, seeking an Order to Comply pursuant to Section 62 of the *Act*, and seeking to Recover the Filing Fee pursuant to Section 72 of the *Act*.

On August 22, 2018, this matter was set down for a Dispute Resolution Hearing on October 9, 2018 at 11:00 AM.

Issue(s) to be Decided

- Are the Tenants entitled to have the Notice cancelled?
- If the Tenants are unsuccessful in cancelling the Notice, is the Landlord entitled to an Order of Possession?
- Are the Tenants entitled to an Emergency Repair Order?
- Are the Tenants entitled to an Order that the Landlord comply?
- Are the Tenants entitled to recover the filing fee?

Background and Evidence

This hearing was scheduled to commence via teleconference at 11:00 AM on October 9, 2018.

Rule 7.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

I dialed into the teleconference at 11:00 AM and monitored the teleconference until 11:11 AM. Neither the Applicants nor the Respondent dialed into the teleconference during this time. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that I was the only person who had called into this teleconference.

Analysis

As the Applicants did not attend the hearing by 11:11 AM, I find that the Application for Dispute Resolution has been abandoned.

Conclusion

I dismiss the Application for Dispute Resolution with leave to reapply; however, this does not extend any applicable time limits under the legislation. I have not made any findings of fact or law with respect to the Application.

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: October 10, 2018

Residential Tenancy Branch