



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNC, OLC, ERP, PSF, LRE

### Introduction and Analysis

This hearing dealt with an Application for Dispute Resolution (“application”) by the tenants seeking remedy under the *Residential Tenancy Act* (“Act”) to cancel a 1 Month Notice to End Tenancy for Cause (“1 Month Notice”), for an order directing the landlord to comply with the Act, regulation or tenancy agreement, for emergency repairs for health or safety reasons, to provide services or facilities required by law or the tenancy agreement, and for an order to suspend or set conditions on the landlord’s right to enter the rental unit, site or property.

The tenants were provided with a copy of the Notice of a Dispute Resolution Hearing dated August 1, 2018. The tenants; however, did not attend the teleconference hearing set for this date, Friday, September 21, 2018 at 11:00 a.m. Pacific Time. The phone line remained open for 11 minutes and was monitored throughout this time. The only person to call into the hearing was landlord GM (“landlord”) who indicated that he was ready to proceed. I have confirmed that file records support that the tenants did not make any attempt to cancel the hearing prior to the hearing. I have also confirmed that the teleconference codes were correct and that the only other person other than the undersigned arbitrator on the call during the hearing was the landlord.

Following the ten minute waiting period, the application of the tenants was **dismissed without leave to reapply** as the tenants failed to attend the hearing to present the merits of their application or at the very least cancel their scheduled hearing in advance of the hearing. The landlord did attend the hearing and was ready to proceed. The landlord testified that the tenants have vacated the rental unit and as a result, the landlord does not require an order of possession at this time as the landlord has already received an order of possession through the Direct Request process.

Conclusion

The tenants' application is dismissed without leave to reapply.

This decision does not extend any applicable time limits under the *Act*.

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 21, 2018

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Residential Tenancy Branch