



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding SINGLA BROTHERS HOLDINGS  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      CNC, CNR

### 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”) and to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (“10 Day Notice”).

The tenants were provided with a copy of the Notice of a Dispute Resolution Hearing dated August 21, 2018 (“Notice of Hearing”). The tenants; however, did not attend the teleconference hearing set for this date, Friday, October 5, 2018 at 9:30 a.m. Pacific Time. The phone line remained open for 10 minutes and was monitored throughout this time. The only persons to call into the hearing were an agent for the landlord AW (“agent”) and the owner of the landlord company PS (“owner”) who indicated that they were 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 provided to the parties were correct and that the only persons on the call besides the arbitrator were the agent for the landlord and the owner of the landlord company.

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 agent for the landlord and the owner of the landlord company did attend the hearing and were ready to proceed. The agent testified that the tenants have already vacated the rental unit as the landlord had already obtained an order of possession based on an undisputed 10 Day Notice through the Direct Request process. The agent confirmed the landlord did not require an order of possession as a result.

### Conclusion

The tenants' application is dismissed without leave to reapply.

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

This decision will be emailed to both parties. The tenants provided their email address in their application and the agent confirmed the email address for the landlord during the hearing.

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: October 5, 2018

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Residential Tenancy Branch