



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT CNL

Introduction

On October 10, 2018, the Tenants submitted an Application for Dispute Resolution under the *Residential Tenancy Act* ("the Act") requesting the following relief:

- For more time to dispute a notice to end tenancy.
- to cancel a 2 Month Notice to End Tenancy for Landlord Use of Property dated September 24, 2018 ("the 2 Month Notice").
- to recover the cost of the filing fee for the Application.

The matter was set for a conference call hearing. The Landlord appeared at the hearing; however, the Tenants did not. The line remained open while the phone system was monitored for ten minutes and the applicants did not call into the hearing during this time. Therefore, as the applicants did not attend the hearing by 9:40 AM, I dismiss the application to dispute the 2 Month Notice.

The Landlord confirmed that she issued the Tenants a 2 Month Notice To End Tenancy For Landlord's Use Of Property dated September 24, 2018. The Tenants provided a copy of the 2 Month Notice within their evidence.

The Landlord requests an order of possession for the rental unit.

Analysis

Based on the above, the testimony and evidence, I find as follows:

The Tenants applied for Dispute Resolution to cancel a 1 Month Notice to End Tenancy but failed to attend the hearing. Therefore, I dismiss the Tenant's Application to cancel

the 2 Month Notice To End Tenancy For Landlord's Use Of Property dated September 24, 2018.

Under section 55 of the Act, when a Tenants application to cancel a Notice to end tenancy is dismissed and I am satisfied that the Notice to end tenancy complies with the requirements under section 52 regarding form and content, I must grant the Landlord an order of possession.

I find that the 2 Month Notice issued by the Landlords meets the requirements for form and content.

I find that the effective date of the 2 Month Notice is November 30, 2018. I find that the Landlords are entitled to an order of possession for the rental unit effective November 30, 2018, after service on the Tenants. This order may be filed in the Supreme Court and enforced as an order of that Court.

Conclusion

The Tenants failed to attend the hearing. The Tenants application to cancel the 2 Month Notice dated September 24, 2018 is dismissed. The Landlords are granted an order of possession effective November 30, 2018, after service on the Tenants.

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: November 22, 2018

Residential Tenancy Branch