



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding DEVON PROPERTIES LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the "**Act**") for cancellation of the landlord's One Month Notice to End Tenancy for Cause (the "**Notice**") pursuant to section 47.

The tenants did not attend this hearing, although I left the teleconference hearing connection open until 11:10 am in order to enable the tenants to call into this teleconference hearing scheduled for 11:00 am. The landlord's vice president attended the hearing and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. 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 the landlord's vice president and I were the only ones who had called into this teleconference.

At the outset of the hearing, the landlord's vice president testified me that, as of April 30, 2019, the tenants had vacated the rental unit. She testified that the parties had conducted a move-out inspection. She stated that she was not seeking to enforce the Notice, as the landlord already had possession of the rental unit.

I accept the landlord's vice president's testimony. As such, I dismiss the tenants' claim, without leave to reapply. I make no findings of fact as to the validity of the Notice, and I decline to grant an order of possession, as one is not sought by the landlord.

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: May 06, 2019

Residential Tenancy Branch