



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNC OLC RP

### Introduction

This hearing dealt with the tenants' Application for Dispute Resolution ("application") seeking remedy under the *Residential Tenancy Act* ("Act") to cancel a 1 Month Notice to End Tenancy for Cause, for an order directing the landlord to comply with the *Act*, regulation or tenancy agreement, and for regular repairs to the unit, site or property.

The respondent landlord attended the teleconference hearing. The applicant tenants did not attend the teleconference hearing. The tenants were provided with a copy of the Notice of a Dispute Resolution Proceeding ("Notice of Hearing") dated May 8 2019. The tenants; however, did not attend the teleconference hearing set for this date, Tuesday, June 18, 2019 at 9:30 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 the landlord who indicated that they were not served with the Notice of Hearing or application and only became aware of the hearing when an emailed reminder appeared and they contact the Residential Tenancy Branch for details on how to call into the hearing. I have confirmed that file records support that the tenants did not make any attempt to cancel the hearing in advance. The landlord testified that the tenants vacated the rental unit on May 6, 2019.

Following the ten minute waiting period, the application of the tenants was **dismissed without leave to reapply** as I find the tenants' entire application is now moot as the tenancy has ended. I therefore do not grant leave to reapply.

I find the tenancy ended on May 6, 2019, which is the date the landlord testified the tenants vacated the rental unit.

The landlord does not require an order of possession as the tenants have already vacated the rental unit.

Conclusion

The tenants' application is dismissed without leave to reapply as the tenants have vacated the rental unit.

This decision will be emailed to both parties at the email addresses provided in the tenants' application and confirmed by the landlord during the hearing.

This decision is final and binding on the parties, unless 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: June 18, 2019

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Residential Tenancy Branch