Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   OPT, FFT

Introduction and Analysis

This hearing dealt with an Application for Dispute Resolution ("application") by the tenants seeking remedy under the *Residential Tenancy Act* (*"Act"*) for an order of possession of the rental unit for the tenants, and to recover the cost of the filing fee.

The tenants were provided with a copy of the Notice of a Dispute Resolution Hearing dated June 25, 2019. The tenants however, did not attend the teleconference hearing set for this date, Friday, July 12, 2019 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 the landlord SML and the landlord's daughter, YST, 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.

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.

I do not grant the tenants the recovery of the cost of the filing fee as result of the above.

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 at the email address provided by the tenants in their application and the email address confirmed by 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: July 12, 2019

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Residential Tenancy Branch