



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes TENANT APPLICATION 1: CNR, MNR, RP, FF
TENANT APPLICATION 2: CNR, RP, FF

Introduction

This matter dealt with two applications by the Tenants to cancel two 10 Day Notices to End Tenancy for unpaid rent, to make repairs to the property, to recover the costs of emergency repairs paid for by the Tenants and to recover the filing fee.

This matter was set for hearing at 9:30 a.m. on this date. The applicants failed to attend the hearing by 9:40 a.m.

Residential Tenancy Branch Rules of Procedure, section 10.1, provides:

10.1 Commencement of the dispute resolution proceeding

The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

In the absence of an appearance by the applicants by 9:40 a.m., this application is abandoned and dismissed without leave to reapply.

Further as the Tenants' application was unsuccessful in cancelling the Notices to End Tenancy: pursuant to section 55 of the Act, I award the Landlord an Order of Possession effective two days after service of the order on the Tenants.

Conclusion

The Tenants' applications to cancel the Notices to End Tenancy are dismissed without leave to reapply.

An Order of Possession effective two days after service on the Tenants has been issued to the Landlord. A copy of the Order must be served on the Tenants in accordance with the Act: the Order of Possession and may be enforced in the Supreme Court of British Columbia.

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: July 15, 2019.

Residential Tenancy Branch