



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution ("Application") under the *Residential Tenancy Act* ("Act") to cancel a One Month Notice to End Tenancy for Cause dated June 24, 2019 ("One Month Notice").

The Landlord, J.C., and an agent for the Landlord, C.B., ("Agent") appeared at the teleconference hearing and gave affirmed testimony. No one attended for the Tenants.

This matter was set for hearing by telephone conference call at 1-888-458-1598 on July 15, 2019 at 11:00 a.m. (Pacific Time). Only the Landlord and her Agent contacted the telephone bridge. The teleconference line remained open for 10 minutes; however, neither of the Applicants nor any Agent acting on their behalf attended to provide any evidence or testimony for my consideration.

Rule 7.1 of the Residential Tenancy Branch Rules of Procedure ("Rules") states that the dispute resolution hearing will commence at the scheduled time, unless otherwise set by the arbitrator. The Respondent Landlord and I attended the hearing on time and were ready to proceed, and there was no evidence before me that the Parties had agreed to reschedule or adjourn the matter; accordingly, I commenced the hearing at 11:00 a.m. on July 15, 2019, as scheduled.

Rule 7.3 states that if a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party or dismiss the application, with or without leave to reapply.

The Agent advised me that the Tenants moved out of the rental unit on June 30, 2019, and cancelled their rent cheque for July 2019. The Agent said that the Landlords are not seeking an order of possession for the rental unit. I find that the tenancy ended on June 30, 2019.

As a result, and pursuant to Rule 7.3, I dismiss the Tenants' Application without leave to

reapply.

This decision will be emailed to the address provided by the Agent during the hearing and to the email address provided by the Tenants in the Application.

### Conclusion

The Tenants' Application is dismissed without leave to reapply, as neither the Tenants nor an Agent for the Tenants attended the hearing to present the merits of the Application. The Respondent Landlord and her Agent did attend the hearing, and since the Tenants have vacated the rental unit the Landlord declined the order of possession.

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 15, 2019

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Residential Tenancy Branch