



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, CNC

The tenants apply for an unspecified compliance order and to cancel a one month Notice to End Tenancy for cause received July 28, 2020.

Neither applicant tenant attended for the hearing within 10 minutes after its scheduled start time at 9:30 a.m. on September 8, 2020. The teleconference hearing connection remained open during that time in order to enable the parties to call into the teleconference hearing. The call-in numbers and participant codes provided in the Notice of Hearing were confirmed as correct. The teleconference system audio console confirmed that the respondent landlords and this arbitrator were the only ones who had called into this teleconference during that period.

As a result, the tenants' application is dismissed. As the landlords attended and were ready to proceed, the application is dismissed without leave to re-apply.

Section 55 of the *Residential Tenancy Act* prescribes an order of possession in these circumstances however the landlords indicate that since the bringing of this application the parties have entered into a Mutual Agreement to End Tenancy effective October 31, 2020. The landlords are free to apply for an order of possession effective then.

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: September 08, 2020

Residential Tenancy Branch