



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding TOP VISION REALTY INC.
and [tenant name suppressed to protect
privacy]

DECISION

Dispute Codes CNR, OPR, MNRL, FFL

Introduction

In the first application the tenant LW seeks to cancel a ten day Notice to End Tenancy for non-payment of September 2020 rent. In the second application the landlord seeks an order of possession pursuant to that Notice and a monetary award for the September rent.

Neither tenant attended for the hearing within 10 minutes after its scheduled start time at 9:30 a.m. on October 15, 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 CC and this arbitrator were the only ones who had called into this teleconference during that period.

CC demonstrated that the corporate applicant was the true landlord, representing the owner who had acquired the property from the tenants' original landlord. He showed that each tenant had been served with the landlord's application by 1) attaching the application package to the door of the premises and, 2) mailing the package to each tenant by registered mail. Canada Post records (tracking numbers shown on cover page of this decision) show that the mail was delivered to each tenant on September 25, 2020.

On this evidence I find that both tenants were served with the landlord's application.

As the tenants or either of them have failed to attend, the application of the tenant LW to cancel the ten day Notice is dismissed without leave to re-apply. I find this tenancy

ended on September 12, 2020 as a result of the ten day Notice. Pursuant to s. 55 of the *Residential Tenancy Act* the landlord will have an immediate order of possession.

On the testimony of CC I find that the tenants owe the September rent of \$2400.00 and I award that amount, plus recovery of the \$100.00 filing fee to the landlord. It will have a monetary order against the tenants in the amount of \$2500.00.

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: October 15, 2020

Residential Tenancy Branch