



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, FF

Introduction

On September 10, 2020, the Tenants submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (“the Act”) seeking to cancel a One Month Notice to End Tenancy for Cause (“the One Month Notice”).

This matter was set for hearing by telephone conference call at 9:30 am on this date. The Landlord appeared at the hearing; however, the Applicants/ Tenants did not. The line remained open while the phone system was monitored for ten minutes and the Applicants did not call into the hearing during this time. Therefore, as the Applicants did not attend the hearing by 9:40 am, I dismiss the application to cancel the One Month Notice.

Issue to be Decided

- Is the Landlord entitled to an order of possession for the rental unit?

Background and Evidence

The Landlord testified that the tenancy began in February 2015. Rent in the amount of \$1,200.00 is to be paid to the Landlord by the first day of each month. The Tenant paid the Landlord a security deposit in the amount of \$600.00 and a pet deposit of \$200.00.

The Landlord testified that he served the One Month Notice dated August 26, 2020 to the Tenants on August 26, 2020.

On September 10, 2020 the Tenants applied online to dispute the One Month Notice.

The Tenants failed to attend the hearing to pursue the dispute of the One Month Notice.

Analysis

Based on the above, the testimony and evidence of the Landlord and Tenant, and on a balance of probabilities, I find as follows:

The Tenants failed to appear at the hearing to pursue their application to cancel the One Month Notice. The Tenant's application to cancel the One Month Notice to End Tenancy for Cause dated August 26, 2020, is dismissed.

Under section 55 of the Act, when a tenants application to cancel a notice to end tenancy is dismissed and I am satisfied that the notice to end tenancy complies with the requirements under section 52 regarding form and content, I must grant the Landlord an order of possession.

I find that the One Month Notice complies with requirements of form and content. I find that the Landlord is entitled to an order of possession effective November 30, 2020, after service on the Tenants. This order may be filed in the Supreme Court and enforced as an order of that Court.

Conclusion

The Tenants failed to appear at the hearing to pursue their application to cancel the One Month Notice.

The Tenants application is dismissed. In accordance with section 55(1) of the Act I grant the Landlord an order of possession effective November 30, 2020. The Tenants must be served with the order of possession. Should the Tenants fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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: November 03, 2020

Residential Tenancy Branch