



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, LAT

This hearing was convened in response to an application and an amended application made by the Tenants pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling notices to end tenancy - Section 46, 47 and 49;
2. An Order for possession of the unit - Section 54; and
3. Recovery of the filing fee - Section 72.

The proceedings were scheduled for a conference call hearing at 11:00 a.m. on this date. The Arbitrator called in to the hearing at the scheduled time. The line remained open while the phone system was monitored for ten minutes. The only Party who called into the hearing during this time was the Landlord who was ready to proceed. It was confirmed that the correct call-in numbers and participant codes were provided in the notice of hearing to the Tenant.

The Landlord was not served with any documents from the Tenant and was only informed of the hearing from the Residential Tenancy Branch (the “RTB”). The Landlord was unaware of the details of the application, which were provided to the Landlord at the hearing. The Landlord confirmed that the Tenants moved out of the unit on June 30, 2021, that the unit was sold with a possession date of July 1, 2021 and that the purchasers have possession of the unit. The Landlord confirmed that no order of possession is required.

As the Tenants did not attend the hearing to pursue its application, and given the Landlord's undisputed evidence that the Tenants did not serve the Landlord with the application for dispute resolution and have moved out of the unit, I dismiss the Tenants' application.

This decision is made on authority delegated to me by the Director of the RTB under Section 9.1(1) of the Act.

Dated: September 21, 2021

Residential Tenancy Branch