



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNL-4M, RP, OLC, FFT

### Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution, made on April 29, 2021 (the "Application"). The Tenants applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order to cancel a Four Month Notice to End Tenancy for Demolition, Renovation, Repair, or Conversion (the "Four Month Notice") dated April 26, 2021;
- an order for regular repairs;
- an order that the Landlord comply with the *Act*.

The hearing was scheduled for 11:00 A.M. on September 2, 2021 as a teleconference hearing. Only the Landlord and the Landlord's Translator R.G. appeared at the hearing. No one called in for the Tenants. The conference call line remained open and was monitored for 10 minutes before the call ended. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the Landlord, R.G., and I were the only persons who had called into this teleconference.

Therefore, as no one attended the hearing for the Tenants by 11:10 A.M., I dismiss the Tenants' claims without leave to reapply.

I note that Section 55 of the *Act* requires that when a tenant submits an Application seeking to cancel a Notice to End Tenancy issued by a landlord, I must consider if the landlord is entitled to an Order of Possession if the Application is dismissed and the landlord has issued a Notice to End Tenancy that is compliant with section 52 of the *Act*.

The Landlord confirmed that the Tenants have since vacated the rental unit and that the Landlord has gained vacant possession of the rental unit; therefore, I find that the Landlord does not require an order of possession based on the Four Month Notice.

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 02, 2021

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Residential Tenancy Branch