



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Lions Court Management Corp
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This hearing was convened by way of conference call concerning an application made by the tenants seeking an order cancelling a notice to end the tenancy for unpaid rent or utilities.

One of the tenants attended the hearing and represented the other tenant. An agent for the landlord also attended.

At the commencement of the hearing, the tenant advised that the tenants have vacated the rental unit and advised the landlord by text message or email about a half hour prior to the commencement of this hearing. The tenant agreed that the application should be dismissed.

The landlord's agent was not aware that the tenants have vacated and seeks an Order of Possession, which was not opposed by the tenant.

The *Residential Tenancy Act* specifies that where I dismiss a tenant's application to cancel a notice to end a tenancy given by a landlord, I must grant an Order of Possession in favour of the landlord, so long as the Notice given is in the approved form. I have reviewed the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities provided by both parties, and I find that it is in the approved form and contains information required by the *Act*. It is dated August 25, 2021 and contains an effective date of vacancy of September 4, 2021 for unpaid rent in the amount of \$1,800.00 that was due on August 1, 2021. Therefore, I grant an Order of Possession in favour of the landlord effective today at 1:00 p.m.

The landlord also indicated that 2 other hearings are scheduled between the parties on January 18, 2022 and January 24, 2022 and asked that those matters be joined to be

heard today. The landlord's agent also indicated that one of those hearings involves a different rental unit. The tenant did not agree to join those matters, and I declined to hear them.

The landlord also attempted to schedule a move-out condition inspection however the tenant did not agree. I leave it to the parties to schedule the inspection in accordance with the law.

Conclusion

For the reasons set out above, the tenants' application is hereby dismissed without leave to reapply.

I hereby grant an Order of Possession in favour of the landlord effective at 1:00 p.m. today, January 11, 2022.

This order is final and binding and may be enforced.

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: January 11, 2022

Residential Tenancy Branch