



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding The nature trust of BC  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNL-4M, FFT

### Introduction

This hearing was scheduled to convene at 9:30 a.m. on March 11, 2022 by way of conference call concerning an application made by the tenants seeking an order cancelling a Four Month's Notice to End Tenancy For Demolition, Renovation, or Conversion to Another Use; and to recover the filing fee from the landlord for the cost of the application.

The landlord was represented at the hearing by an agent, who was also accompanied by 2 witnesses. However, the line remained open while the telephone system was monitored for in excess of 10 minutes and no one for the tenant joined the call.

The landlord's agent submitted that the tenants did not serve the Notice of Dispute Resolution hearing package to the landlord, and the landlord learned of this hearing from the Residential Tenancy Branch.

The landlord's agent and witnesses attended the hearing prepared to respond to the tenants' application, and since the tenants have not joined the call, I dismiss the tenants' application without leave to reapply.

The landlord's agent asked for an Order of Possession, and 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. No one has provided a copy of the Notice, and therefore, I cannot be satisfied that any given was in the approved form, and I decline to grant an Order of Possession.

Conclusion

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

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: March 11, 2022

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Residential Tenancy Branch