



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing was scheduled to convene at 9:30 a.m. on May 26, 2022 concerning an application made by the tenants seeking an order cancelling a notice to end the tenancy for cause.

The landlord attended the hearing with an assistant, prepared to respond to the tenants' application. However, the line remained open while the telephone system was monitored for in excess of 10 minutes and no one for the tenants joined the call. Therefore, I dismiss the tenants' application without leave to reapply.

The *Residential Tenancy Act* states 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. In this case, no one has provided a copy of a notice to end the tenancy so 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 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: May 26, 2022

Residential Tenancy Branch