



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC-MT, FFT

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenants June 02, 2022 (the “Application”). The Tenants applied as follows:

- To dispute a One Month Notice to End Tenancy for Cause (the “Notice”)
- For more time to dispute the Notice
- To recover the filing fee

The Tenants did not appear at the hearing. J.W. appeared at the hearing for the Landlord. J.W. advised the Tenants moved out of the rental unit at the end of August.

I waited 10 minutes, until 9:40 a.m., to allow the Tenants to participate in this hearing scheduled for 9:30 a.m. The Tenants did not call into the hearing.

Rule 7.3 of the Rules of Procedure states:

#### 7.3 Consequences of not attending the hearing

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

Given the Tenants did not attend the hearing to provide evidence or a basis for the Application, and J.W. did, the Application is dismissed without leave to re-apply.

I decline to issue the Landlord an Order of Possession pursuant to section 55 of the *Residential Tenancy Act* because the Tenants have moved out of the rental unit and the Landlord does not require an Order of Possession.

Conclusion

The Application is dismissed without leave to re-apply.

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

Dated: October 14, 2022

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Residential Tenancy Branch