



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL-4M, FFT

Introduction

This hearing was scheduled to convene at 9:30 a.m. on November 22, 2022 concerning an application made by the tenants seeking an order cancelling a Four Months' Notice to End Tenancy For Demolition or Conversion of a Rental Unit and to recover the filing fee from the landlord for the cost of the application.

An agent for the tenants attended the hearing, however, the line remained open while the telephone system was monitored for 10 minutes and no one for the landlord joined the call.

The tenants' agent indicated that the landlord has not been served with the hearing package. Any application filed by a party must be served on the other party, which includes the application and the Notice of Dispute Resolution Proceeding, within 3 days of making the application.

I also note from the evidence provided by the tenants that the tenants were not served with a Four Months' Notice to End Tenancy For Demolition or Conversion of a Rental Unit, but a One Month Notice to End Tenancy for Cause.

Since the tenants have not disputed the correct notice to end the tenancy and have not served the landlord, I must dismiss the tenants' application.

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: November 22, 2022

Residential Tenancy Branch