



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC

Introduction

This hearing dealt with the landlords' application pursuant to the *Residential Tenancy Act* ("Act") for:

- an order of possession for cause based on the the landlord's One Month Notice to End Tenancy for Cause, dated December 21, 2022 ("1 Month Notice"), pursuant to section 47.

The tenant did not attend this hearing. The two landlords, landlord BH ("landlord") and "landlord JLV," attended this hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

This hearing lasted approximately 7 minutes from 11:00 a.m. to 11:07 a.m.

I monitored the teleconference line throughout this hearing. I confirmed that the correct call-in numbers and participant codes were provided in the Notice of Hearing. I also confirmed from the online teleconference system that the two landlords and I were the only people who called into this teleconference.

The landlord removed her telephone from speakerphone because it was causing echoing and feedback, making it difficult for me to hear.

The landlord provided the names and spelling for her and landlord JLV. She provided her email address for me to send a copy of this decision to both landlords after this hearing.

The landlord confirmed that a landlord company owns the rental unit, and another landlord company manages it for the owner. She said that she is a manager and

landlord JLV is a senior manager. She said that both landlords had permission to represent the owner at this hearing. She said that landlord JLV would not testify at this hearing. She provided the rental unit address.

The landlord confirmed that she did not want to amend this application to include the name of the owner as a landlord-applicant party, rather than the names of the two landlords as applicant parties.

Rule 6.11 of the Residential Tenancy Branch (“RTB”) *Rules of Procedure (“Rules”)* does not permit recordings of any RTB hearings by any participants. At the outset of this hearing, the landlord affirmed, under oath, that neither she, nor landlord JLV, would record this hearing.

I explained the hearing process to the landlord. She had an opportunity to ask questions. She did not make any adjournment or accommodation requests.

At the outset of this hearing, the landlord confirmed that the tenant vacated the rental unit on May 18, 2023. She said that the landlords took back possession of the rental unit.

For the above reasons, I informed the landlord that the landlords’ application was dismissed without leave to reapply and the landlord was not entitled to an order of possession. She affirmed her understanding of same.

Conclusion

The landlords’ application is dismissed without leave to reapply.

The landlords’ 1 Month Notice, dated December 21, 2022, is cancelled and of no force or effect.

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 19, 2023

Residential Tenancy Branch