



Dispute Resolution Services

Page: 1

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 August 11, 2023 concerning an application made by the tenants seeking an order cancelling a One Month Notice to End Tenancy For Cause.

The landlord attended the hearing 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* 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.

The landlord has not provided any evidentiary material. I have reviewed the One Month Notice to End Tenancy For Cause provided by the tenants for this hearing and I find that it is in the approved form. It is dated March 30, 2023, however the effective date of vacancy is not readable. The landlord indicated that it was personally served to one of the named tenants on March 30, 2023. The law also states that incorrect effective dates are changed to the nearest date that complies with the law, which I find is April 30, 2023.

Since the corrected effective date of vacancy has passed, I grant an order of possession in favour of the landlord effective on 2 days notice to the tenants.

Conclusion

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

I hereby grant an order of possession in favour of the landlord effective on 2 days notice to the tenants.

This order is final and binding and may be enforced.

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: August 11, 2023

Residential Tenancy Branch