

## **DECISION**

Dispute Codes      CNC

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants to cancel a 1 Month Notice to End Tenancy for Cause.

The Landlord appeared however the applicant Tenants did not appear.

### Issues(s) to be Decided

Are the Tenants entitled to an Order to cancel a notice to end tenancy for cause under section 47 of the *Residential Tenancy Act*?

### Background and Evidence

There was no additional evidence or testimony provided in support of the Tenants' claim as no one attended on behalf of the applicant Tenants.

### Analysis

Section 61 of the *Residential Tenancy Act* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the Director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for an oral teleconference hearing. In the absence of the applicant Tenants, the telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the applicant Tenants called into the hearing during this time. Based on the aforementioned I find that the Tenants have failed to present the merits of their application and the application was dismissed.

Conclusion

I HEREBY DISMISS the Tenants' application, 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: July 17, 2009.

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Dispute Resolution Officer