



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

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### Introduction

This matter dealt with an application by the Tenants for an Order requiring the Landlords to renew their tenancy following the expiry of a fixed term tenancy agreement. The hearing started at 9:00 a.m. as scheduled, however by 9:10 a.m., neither party had dialled into the conference call. As there has been no hearing into the merits of the Tenants' application, it is dismissed with leave to reapply.

However, if the Tenants' tenancy agreement does not contain a clause permitting the tenancy to continue but rather requires the Tenants to move out at the end of the fixed term, then based on the Tenants' written submissions in their application, this matter would likely fall under s. 10 of the B.C. Human Rights Code rather than the Residential Tenancy Act.

### Conclusion

The Tenants' application is dismissed with 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: February 25, 2010.

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Dispute Resolution Officer