Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   CNC, FF

Introduction

This telephone conference call hearing was convened as the result of the tenants' application for dispute resolution under the Residential Tenancy Act (the "Act"). The tenants applied for an order cancelling the landlord's 1 Month Notice to End Tenancy for Cause (the "Notice") and for recovery of the filing fee paid for this application.

The hearing began at 2:30 p.m. as scheduled and the telephone system remained open and was monitored for 10 minutes. During this time, the applicants/tenants did not dial into the telephone conference call hearing; however the landlords were present and ready to proceed with the hearing. During the hearing, the landlords made an oral request for an order of possession for the rental unit.

Analysis and Conclusion

In the absence of the tenants to present their application, pursuant to section 10.1 of the Dispute Resolution Rules of Procedure (Rules), I dismiss the tenants' application, without leave to reapply.

As I have dismissed the tenants' application for dispute resolution, under section 55(1) of the Act, I must grant the order of possession to the landlords due to their oral request during the hearing.

I therefore grant the landlords an order of possession for the rental unit effective 2 days after service on the tenants.

This final, legally binding order of possession is enclosed with the landlords' Decision and must be served upon the tenants.

Should the tenants fail to vacate the rental unit pursuant to the terms of the order, this order may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court. The tenants are advised that costs of such enforcement are recoverable from the tenants.

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: December 9, 2014

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Residential Tenancy Branch