

DECISION

Dispute Codes CNC, MNSD, FF

Introduction

This hearing was scheduled to convene at 11:00 a.m. this date concerning an application made by the tenants seeking an order cancelling a notice to end the tenancy for cause, for a monetary order for recovery of all or part of the pet damage deposit or security deposit and to recover the filing fee from the landlord for the cost of the application.

The landlord attended the hearing, however the line remained open while the phone 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* states 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 is in the approved form. I have reviewed the 1 Month Notice to End Tenancy for Cause provided as evidence by the tenants, and I find that it is in the approved form. It is dated November 1, 2016 and contains an effective date of vacancy of December 1, 2016. The landlord advised that the tenants vacated the rental unit on December 1, 2016. Since the effective date of vacancy has passed and the tenants have vacated the rental unit, I grant the Order of Possession effective immediately.

Conclusion

For the reasons set out above, the tenants' application is hereby dismissed.

I hereby grant an Order of Possession in favour of the landlord effective immediately.

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 21, 2016

Residential Tenancy Branch