



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, FF

### Introduction

This hearing was convened by way of conference call concerning an application made by the tenants seeking an order cancelling a notice to end the tenancy for cause and to recover the filing fee from the landlord for the cost of the application.

The landlord and both tenants attended the hearing, during which the parties agreed that the tenants have vacated the rental unit and the landlord has obtained an Order of Possession via the Direct Request Process. Since the tenants have vacated, I dismiss the tenants' application. 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. However, the landlord has already obtained an Order of Possession and I decline to grant that order again.

### Conclusion

For the reasons set out above, the tenants' application for an order cancelling a notice to end the tenancy for cause is hereby dismissed.

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: September 19, 2017

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Residential Tenancy Branch