



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, RR, RP, AAT, PSF, LAT, LRE, OLC, CNC-MT

Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution. A hearing by telephone conference was held on October 20, 2020. The Tenants applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the *Act*).

This matter was set for hearing by telephone conference call at 9:30 A.M. (Pacific Time) on October 20, 2020. The Landlord/Respondent attended the teleconference hearing and was ready to proceed; however, the Tenant/Applicant did not attend. The line remained open while the phone system was monitored for ten minutes and the Tenant/Applicant did not call in during this time. Therefore, as the Applicants did not attend the hearing by 9:40 AM, **I dismiss the claim, in full, without leave to reapply.**

When a Tenant applies to cancel a Notice to End Tenancy, and that application is dismissed, the Landlord may be granted an order of possession, based off of that Notice to End Tenancy. However, in this case, neither the Landlord nor the Tenants provided a copy of the Notice. As such, I am not satisfied it was a valid Notice. I decline to issue an order of possession, pursuant to section 55 of the *Act*, based off the 1-Month Notice that the Tenant applied to cancel.

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: October 20, 2020

Residential Tenancy Branch