Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   CNL-4M, OLC, FFT

Introduction

The tenants filed an Application for Dispute Resolution on June 23, 2021 seeking an order to cancel the Four Month Notice to End Tenancy for Demolition, Renovation, or Conversion to another use. Additionally, they sought the landlord's compliance with the tenancy agreement and/or the legislation, and reimbursement of the filing fee.

The matter proceeded by way of a hearing pursuant to s. 74(2) of the *Residential Tenancy Act* (the "*Act*") on October 21, 2021.

The landlord only attended the hearing to speak to the issue at hand. At the start of the hearing, they provided that the tenants already moved out of the rental unit on July 23, 2021. They described how on this date the neighbours at the rental unit described the tenants' move out, along with the state of the rental unit upon the tenants leaving on that date.

The landlord also advised the tenants did not inform them of this hearing today. The only way the landlord knew about this hearing was from a reminder message from the Residential Tenancy Branch advising of the hearing date and time.

Given that the tenancy has ended, the issue of an end of tenancy is not in question. The tenants did not attend to present testimony on the other application grounds. Rule 7.3 of the *Residential Tenancy Branch Rules of Procedure* provides that if a party or their agent fails to attend the hearing, the arbitrator may conduct the hearing in the absence of that party or dismiss the application without leave to reapply.

Given the tenants did not attend, I dismiss each of the grounds they applied for, without leave to reapply.

Conclusion

The tenants' Application is dismissed without leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under s. 9.1(1) of the *Act*.

Dated: October 21, 2021

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Residential Tenancy Branch