



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

DECISION

Dispute Codes: CNC, OLC, ERP, RP

Introduction

This matter dealt with an application made by the tenant to cancel a notice to end tenancy for cause, as issued by the landlord. The tenant also seeks orders in relation to repairs to the rental unit.

At the hearing which was held via teleconference, the applicant tenant did not appear. The landlord did appear at the hearing and requested an order of possession.

Issue(s) to be Decided

What is the status of the applicant's application?

Is the landlord entitled to an order of possession?

Background and Evidence

The landlord in this matter served the tenant with a one month notice to end tenancy for cause, dated September 26, 2008 with an effective date of October 31, 2008.

The tenant has filed to dispute the notice but has failed to attend the hearing to provide evidence to support a cancellation of the landlord's notice. I have reviewed the tenant's written submission and do not find evidence which would compel the cancellation of the notice.

Analysis

As the tenant has failed to provide evidence to support the cancellation of the landlord's notice, I find that the landlord is entitled to an order of possession as he has requested.

Conclusion

The effective date of the landlord's notice will have already passed when the landlord receives my order. I therefore make the order effective two days after service upon the tenant. The order may be filed with an enforced as an order of the Supreme Court of British Columbia.

Dated: October 29, 2008