

Dispute Resolution Services

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

DECISION AND REASONS

Dispute Codes: CNC

This hearing dealt with an application by the tenant for an order to set aside a notice to end tenancy for cause. This matter was set for a conference call hearing at 10:00 a.m. on this date. As of 10:15 a.m. the applicant/tenant had not called into the conference call. The respondent/landlord called in.

During the waiting period, the landlord made an oral request for an order of possession in the event that the tenant's application was not successful.

The applicant did not call into the conference call and therefore this application is dismissed without leave to reapply.

The landlord made a request under section 55 of the legislation for an order of possession. Under the provisions of section 55(1), upon the request of a landlord, I must issue an order of possession when I have upheld a notice to end tenancy. Accordingly, I so order. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Conclusion

The notice to end tenancy is upheld and I grant the landlord an order of possession effective on or before 1:00 p.m. on August 31, 2009.

Dated August 12, 2009.

Dispute Resolution Officer