

## **Dispute Codes:**

CNC, FF

## **Introduction**

This is the Tenant's application to cancel a Notice to End Tenancy for Cause and to recover the cost of the filing fee from the Landlord.

## **Preliminary Matter**

This application was scheduled to be heard via teleconference on September 9, 2009 at 10:30 a.m. At 10:40 a.m., the Applicant/Tenant had not yet signed into the teleconference. Therefore, the Tenant's application is dismissed without leave to re-apply.

The Landlord testified that the Tenant remains in the rental unit, and requested an Order of Possession. The effective date for the end of tenancy is August 31, 2009, however the Landlord requested an Order of Possession for an effective date of September 30, 2009, in order to provide the Tenant with more time.

Having dismissed the Tenant's application, the Landlord is entitled to an Order of Possession and I make that Order, effective September 30, 2009.

## **Conclusion**

The Tenant's application is dismissed with leave to re-apply.

I hereby provide the Landlord with an Order of Possession against the Tenant, effective September 30, 2009. This Order must be served on the Tenant and may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

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 10, 2009.

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