



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes CNR, OPR, MNR, FF

Introduction

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the landlord the opportunity to testify at the hearing.

The tenant did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issues(s) to be Decided

This decision deals with two applications for dispute resolution, one brought by the tenant and one brought by the landlords. Both files were heard together.

The tenant's application is a request to have a Notice to End Tenancy cancelled.

Landlords application is a request for an Order of Possession based on a Notice to End Tenancy it was given for non-payment of rent, a request for an order for the outstanding rent, and a request of the respondent bear the filing fee that was paid for the dispute resolution application.



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Decision and reasons

Tenants application

No hearing was held because even though I waited until well past the time at which the hearing was to start, the applicant/tenant did not join the conference call that was set up for the hearing.

I therefore dismiss the tenant's application without leave to re-apply.

I further order that the tenant pay the \$50.00 filing fee, which was previously waived, to the Director of the Residential Tenancy Branch.

Landlords application

The tenant has failed to comply with a Notice to End Tenancy and rent in the amount of \$1000.00 is still outstanding for the month of January 2010.

Therefore, pursuant to Section 55, I have issued an order of possession for 12 noon on February 13, 2010.

The landlord(s) is given a formal Order of Possession and the tenant **must** be served with this Order as soon as possible.

I further Order pursuant to Section 67 that the respondent pay to the applicant(s) the sum of:

Outstanding January 2010 rent	\$1000.00
Total	\$1050.00



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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: February 11, 2010.

Dispute Resolution Officer