

Decision

Dispute Codes: CNC

Introduction

This hearing dealt with an application by the tenant for cancellation of a 1 month notice to end tenancy for cause. Agents for the landlord(s) / respondent(s) participated in the hearing and gave affirmed testimony. Despite scheduling of this hearing in response to an application for dispute resolution by the tenant, he did not appear. During the hearing the landlord(s) requested an order of possession.

Issues to be decided

- Whether either party is entitled to the above under the Act

Background and Evidence

Pursuant to a written tenancy agreement, the month-to-month tenancy began on July 1, 2009. The tenant's portion of monthly rent is \$328.00. No security deposit was collected.

Arising from miscellaneous concerns about the tenancy, the landlord(s) issued a 1 month notice to end tenancy for cause dated June 30, 2010. The notice was served on the tenant by way of registered mail and by way of personal delivery into his mail slot on June 30, 2010. A copy of the notice was submitted into evidence. The date shown on the notice by when the tenant must vacate the unit is July 31, 2010. Subsequently, the tenant applied to have the notice set aside by filing an application for dispute resolution on July 9, 2010. However, as earlier noted, the tenant did not attend the hearing.

Analysis

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord(s)' agents, I find that the tenant was served with a 1 month notice to end tenancy for cause dated June 30, 2010. While the tenant applied to dispute the notice, he did not attend the hearing or submit any documentary evidence further to his application for dispute resolution. Accordingly, the tenant's application is hereby dismissed and I find that the landlord(s) are entitled to an order of possession.

Conclusion

I hereby issue an **order of possession** in favour of the landlord(s) effective not later than **1:00 p.m., Monday, September 6, 2010.** This order must be served on the tenant. 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.

DATE: August 30, 2010

Dispute Resolution Officer