



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes CNR, MT

This hearing dealt with an Application for Dispute Resolution by the Tenant for an order to cancel a 10 Day Notice to End Tenancy for Cause.

Issues(s) to be Decided

Is the Tenant entitled to an Order cancelling the 10 Day Notice to End Tenancy for Cause?

Background and Evidence

This matter was set for hearing at 2:00 p.m. on this date. The applicant failed to attend the hearing by 2:11 p.m. The Act states:

Commencement of the dispute resolution proceeding

The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Dispute Resolution Officer. The Dispute Resolution Officer may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

In the absence of an appearance by the applicant by 2:11 p.m., this application is abandoned and dismissed without leave to reapply.

The Landlord made an oral request for an Order of Possession, effective for September 30, 2010, pursuant to section 55(1) of the Act.

Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

I find that the Landlord is entitled to an order of possession effective on September, **2010, at 1:00 p.m.** after service on the Tenant. This order may be filed in the Supreme Court and enforced as an order of that Court.

Conclusion

The Tenant's application is dismissed without leave to reapply.

The Landlord is granted an order of possession.

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 29, 2010.

Dispute Resolution Officer