

DECISION

Dispute Codes MT, CNC, CNL, FF

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- more time to make an application to cancel the landlord's 1 Month and 2 Notices to End Tenancy for Cause pursuant to section 66;
- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause pursuant to section 47;
- cancellation of the landlord's 2 Month Notice to End Tenancy for Landlord's Use of Property pursuant to section 49;
- authorization to recover her filing fee for this application from the landlord pursuant to section 72.

Pursuant to section 58 of the *Act*, I was designated to hear this matter. While the Respondent attended the hearing by way of conference call, the Applicant did not attend. We waited until 11:12 a.m. to enable her to participate, but the Applicant did not call.

Rule 10.1 of the Rules of Procedure provides as follows:

10.1 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 any evidence or submissions from the applicant, I order the application dismissed without liberty to reapply.

At the hearing, the landlord requested an Order of Possession. As I am not setting aside the landlord's 1 Month Notice to End Tenancy, I grant the landlord's request and attach this Order of Possession to take effect within two days of being served to the

tenant. Should the tenant(s) fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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: December 06, 2010

Dispute Resolution Officer