



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes CNR, FF

Introduction

This was the hearing of an application by the tenant to cancel a 10 day Notice to End Tenancy for unpaid rent. The hearing was conducted by conference call. The landlord's representative called into the conference to participate in the hearing. The tenant did not call into the conference and did not participate in the hearing although it was his application and although the hearing was kept open until after 9:10 A.M.

The tenant had not appeared at the hearing of his application by 9:10 A.M. In the absence of an appearance by the applicant, I dismiss his application for dispute resolution without leave to reapply.

Section 55 of the *Residential Tenancy Act* provides as follows:

- 55** (1) If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant an order of possession of the rental unit to the landlord if, at the time scheduled for the hearing,
- (a) the landlord makes an oral request for an order of possession, and
 - (b) the director dismisses the tenant's application or upholds the landlord's notice.

I have dismissed the tenant's application to dispute the landlord's Notice to End Tenancy. The landlord made an oral request for an order of possession at the hearing.

Pursuant to section 55 I grant the landlord an order for possession effective December 2, 2010 after service upon the tenant. This order may be registered in the Supreme Court and enforced as an order of that court.

Dated: December 02, 2010.
