



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## DECISION

**Dispute Codes**      CNC, OLC

### **Introduction**

This hearing was scheduled to proceed on this date at 1:30 p.m. to deal with the tenant's application for an order cancelling a notice to end tenancy for cause, and for an order that that landlord comply with the *Act*, regulation or tenancy agreement. An agent attended for the landlord company, however the tenant did not attend the conference call hearing by 1:40 p.m. and I dismissed the tenant's application in its entirety without leave to reapply.

During the hearing, the landlord applied for an Order of Possession. The *Residential Tenancy Act* states that:

**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.

The landlord's agent stated that the tenant had been served with a 1 Month Notice to End Tenancy for Cause that contained an effective date of vacancy of February 28, 2011. I have dismissed the tenant's application, and therefore I find that the landlord is entitled to an Order of Possession effective February 28, 2011, and I so order.

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 18, 2011.

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Residential Tenancy Branch