



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNC, MT, FF

Introduction

This hearing dealt with an application by the tenant for an order setting aside a notice to end this tenancy. The respondent landlord appeared at the hearing but the applicant tenant did not.

Issue to be Decided

Should the notice to end tenancy be set aside?
Is the landlord entitled to an order of possession?

Background and Evidence

The landlord's undisputed evidence is that the tenant was served with a one month notice to end tenancy on March 28, 2011.

Analysis

As the tenant did not appear at the hearing to advance his claim, the claim is dismissed without leave to reapply.

During the hearing the landlord made a request under section 55 of the legislation for an order of possession and asked that it be effective on May 1, 2011 at 6:00 p.m. Under the provisions of section 55, upon the request of a landlord, I must issue an order of possession when I have upheld a notice to end tenancy. Accordingly, I so order. The tenant must be served with the order of possession. 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.

Conclusion

The tenant's claim is dismissed. 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: April 20, 2011

Residential Tenancy Branch