



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes: MT, CNR, MNDC, RP, SS

Introduction / Background / Evidence

This hearing dealt with the tenant's application for more time to make an application to cancel a notice to end tenancy / cancellation of a notice to end tenancy / a monetary order as compensation for damage or loss under the Act, regulation or tenancy agreement / an order instructing the landlord to make repairs to the unit, site or property / and permission to serve documents or evidence in a different way than required by this Act. The landlord was present at 9:30 a.m., the scheduled start of the hearing, but by 9:40 a.m. the tenant had not appeared. The tenant's application is therefore dismissed.

Pursuant to section 55 of the Act which speaks to **Order of possession for the landlord**, during the hearing the landlord made an oral request for an order of possession. In this regard the landlord gave affirmed testimony that on April 3, 2011 he served the tenant with a 10 day notice to end tenancy by way of posting on the tenant's door on that same date. Subsequently, the tenant did not make any further payment toward rent and appears to have vacated the unit on or about June 3, 2011.

Analysis

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord, I find that the tenant was served with a 10 day notice dated April 3, 2011. The tenant did not pay the outstanding rent within 5 days of receiving the notice and did not attend the hearing scheduled in response to his application to dispute the notice. I therefore find that the landlord is entitled to an order of possession.

Conclusion

I hereby issue an **order of possession** in favour of the landlord effective not later than **two (2) days** after service on the tenant. This order must be served on the tenant. 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.

The tenant's application is hereby dismissed in its entirety.

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*.

DATE: June 8, 2011

Residential Tenancy Branch