



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FF

Introduction

This matter dealt with an application by the Tenant to cancel a One Month Notice to End Tenancy for Cause dated June 28, 2011 and to recover the filing fee for this proceeding.

The oral hearing via conference call started at 1:30 p.m. as scheduled however by 1:40 p.m. the Tenant/Applicant had not dialled into the conference call and as a result, the hearing proceeded in the Tenant's absence.

Issue(s) to be Decided

1. Does the Landlord have grounds to end the tenancy?

Background and Evidence

This month-to-month tenancy started on June 1, 2011. Rent is \$600.00 per month payable in advance on the 1st day of each month. On June 28, 2011, the Landlord served the Tenant in person with a One Month Notice to End Tenancy for Cause dated June 28, 2011. The grounds alleged on the Notice were as follows:

- The Tenant has engaged in illegal activity that has, or is likely to adversely affect the quiet enjoyment, security, safety or physical well-being of another occupant or the landlord; and
- The Tenant knowingly gave false information to a prospective tenant or purchaser of the rental unit or property.

Analysis

In the absence of any oral or documentary evidence to support the Tenant's application, it is dismissed without leave to reapply. The Landlord requested and I find pursuant to s. 55(1) of the Act that he is entitled to an Order of Possession to take effect on July 31, 2011 (the effective date of the One Month Notice).

Conclusion

The Tenant's application is dismissed without leave to reapply. An Order of Possession to take effect on July 31, 2011 has been issued to the Landlord. A copy of the Order must be served on the Tenant and may be enforced in 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: July 27, 2011.

Residential Tenancy Branch