



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

This hearing dealt with the Tenant's Application for Dispute Resolution, seeking an order to cancel a one month Notice to End Tenancy for cause.

This hearing was scheduled via telephone conference call at 1:30 p.m. on this date.

The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Respondent Landlord.

Therefore, as the Applicant Tenant did not attend the hearing by 1:40 p.m., and the Respondent Landlord appeared and was ready to proceed, I dismiss the claim without leave to reapply. Following my dismissal, the Landlord orally requested an order of possession, as had also been done in his written submissions.

The Respondent explained that the Tenant has told him they will be vacating the rental unit at the end of August 2011. Regardless of this, under section 55 of the Act I must grant a request for an order of possession if I dismiss the Tenant's Application to cancel a Notice.

Therefore, I grant and issue an order of possession effective at **1:00 p.m. on August 31, 2011**. This order may be enforced in the Supreme Court of British Columbia.

This decision is final and binding on the parties, except as otherwise provided for under the Act, and 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: August 11, 2011.

Residential Tenancy Branch