



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC

Introduction

The tenant applied to cancel a 1 Month Notice Ending Tenancy for Cause issued on October 4, 2011. The landlord attended the hearing; the tenant did not. The landlord stated that the tenant remains in the rental unit.

A copy of the 1 Month Notice ending tenancy was submitted as evidence. The Notice was issued and posted to the tenant's door on October 4, 2011.

Section 55(1) of the Act provides:

55 (1) *I 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.

As the tenant failed to attend this hearing in support of his application to cancel the Notice, I have dismissed the tenant's Application. The landlord requested an Order of possession for the effective date of the Notice, November 30, 2011, and, pursuant to section 55 of the Act, I find that the landlord is entitled to an Order which has been issued for that date at 1 p.m.

Conclusion

The tenant's application is dismissed.

The landlord has been granted an Order of possession that is effective **at 1 p.m. on November 30, 2011**. This Order may be served on the tenant, filed with the Supreme Court of British Columbia and enforced as an Order of that Court.

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: October 31, 2011.

Residential Tenancy Branch