



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking to cancel a notice to end tenancy. The hearing was conducted via teleconference and was attended by the landlord's agents only, the tenant did not attend. As this was the tenant's Application I find the tenant was fully aware of the time and call in procedures for this hearing. At the outset of the hearing the landlord's agent requested an order of possession should the tenant be unsuccessful in his Application.

Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to cancel a 1 Month Notice to End Tenancy for Cause, pursuant to Section 47 of the *Residential Tenancy Act (Act)*. If the tenant is unsuccessful in his application it must then be decided if the landlord is entitled to an order of possession, pursuant to Section 55 of the *Act*.

Analysis

In the absence of the applicant tenant, I find the tenant has failed to establish why the notice issued by the landlord to end the tenancy should be cancelled and I dismiss his Application.

Conclusion

Based on the above and in accordance with Section 55(1), I find the landlord is entitled to an order of possession effective **November 30, 2011 after service on the tenant**. This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be 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: November 22, 2011.

Residential Tenancy Branch