



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, RR

Introduction

This hearing was convened in response to an application filed by the tenant seeking to cancel a Notice to End Tenancy given for cause and seeking an Order allowing the tenant to reduce her rent for repairs.

While the respondent landlord appeared at the hearing, the tenant did not. The tenant's application is therefore dismissed.

The landlord requested an Order of Possession based on the 1 month Notice to End Tenancy given for Cause. Because the tenant did not attend this hearing to perfect her claim it is as though she did not file an application to dispute the Notice and the time for doing so has now expired. I will therefore allow the landlord an Order of Possession. I note that the effective date set out in the Notice is December 10, 2011 while the Notice was issued on November 11, 2011. This effective date is in error. For a 1 month Notice to End Tenancy dated November 11, 2011 the earliest time this tenancy could end is December 31, 2011. Therefore using the automatic correcting provisions of the Residential Tenancy Act I will grant an Order of Possession effective December 31, 2011.

Conclusion

The landlord is provided with a formal copy of an order of possession. Should the tenant(s) fail to comply with this Order, this Order may be filed and enforced as an Order of 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: December 01, 2011.

Residential Tenancy Branch