



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes MT, CNR, FF

### Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking more time to apply to cancel a notice to end tenancy and to cancel a notice to end tenancy.

The hearing was conducted via teleconference and was attended by the landlord only, the applicant tenant did not attend.

During the hearing, the landlord verbally 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 more time to apply to cancel a notice to end tenancy; to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 46, 66, 67, and 72 of the *Residential Tenancy Act (Act)*.

It must also be decided if the landlord is entitled to an order of possession, pursuant to Section 55 of the *Residential Tenancy Act (Act)*.

### Analysis

As the applicant tenant did not attend the hearing, I dismiss this Application in its entirety without leave to reapply.

Section 55(1) states that if a tenant makes an application for dispute resolution to dispute a landlord's notice to end tenancy I must grant an order of possession of the rental unit to the landlord if, at the time scheduled for the hearing the landlord makes an oral request for an order of possession and I dismiss the tenant's Application.

Conclusion

I find the landlord is entitled to an order of possession effective **two days 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: January 12, 2012.

---

Residential Tenancy Branch