



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNC FF

This hearing dealt with an application by the tenant to cancel a notice to end tenancy for cause.

The hearing was set for hearing by telephone conference call at 11:00 a.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. Therefore, as the applicant did not attend the hearing by 11:10 a.m., and the respondent appeared and was ready to proceed, I dismiss the claim without leave to reapply.

In the hearing the landlord orally requested an order of possession pursuant to the notice to end tenancy. When a tenant applies to cancel a notice to end tenancy and their application is dismissed, if the landlord orally requests an order of possession I must grant the order of possession. Accordingly, I grant the order of possession.

The notice to end tenancy was served on the tenant on January 1, 2012. The effective date on the notice is therefore automatically corrected to February 29, 2012. I accordingly grant the order of possession effective February 29, 2012.

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 31, 2012.

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Residential Tenancy Branch