



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 an application by the tenant seeking to have a One Month Notice to End Tenancy for Cause set aside. The landlord participated in the conference call hearing but the tenant did not. The tenant is the applicant in this matter and chose not to dial in, the matter proceeded as scheduled.

Issues to be Decided

Is the tenant entitled to have the Notice set aside?

Background and Evidence

The landlord gave the following testimony; received multiple complaints about the subject tenant, complaints included; loud parties, screaming, noise at all hours of the night, report on excessive drinking and public nudity, police attendance for noise complaints, possession of illegal substance by a guest of the subject tenant, landlord received multiple complaints both written and verbally. A One Month Notice to End Tenancy for Cause was given to the tenant on May 3, 2012 with an effective date of June 30, 2012.

Analysis

The landlord supplied documentary evidence to support his testimony. The landlord requested an order of possession in both writing and verbally during the hearing. Based on the above facts I find that the landlord is entitled to an order of possession. The tenant must be served with the order of possession. Should the tenant fail to comply

with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The Notice remains in full effect and force.

As the tenant is the applicant and chose not to participate in today's hearing I dismiss the tenant's application in its entirety without leave to reapply.

Conclusion

The landlord is granted an order of possession.

The tenant's application is dismissed in its entirety without leave to reapply.

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: May 29, 2012.

Residential Tenancy Branch