



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC, MNDC, LAT, FF

Introduction

The tenants applied to cancel a notice to end tenancy for cause, compensation for damage or loss under the Act, an Order allowing the tenants to change the lock to the rental unit and to recover the filing fee cost from the landlord.

The landlord was present at the start of the hearing.

The tenants did not attend the hearing and 10:40 a.m., ten minutes after the start of the hearing, the tenant's application was dismissed. The landlord requested an order of possession based upon the 1 month notice to end tenancy that was in dispute.

The Notice was supplied as evidence; it was issued on April 18, 2012, effective May 31, 2012.

Section 55(1) of the Act provides:

55 (1) *If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant an order of possession of the rental unit to the landlord if, at the time scheduled for the hearing,*

(a) the landlord makes an oral request for an order of possession, and

(b) the director dismisses the tenant's application or upholds the landlord's notice.

Therefore, as the tenants failed to attend the hearing and their application was dismissed and, based upon the request of the landlord, pursuant to section 55 of the Act; I determined that landlord was entitled to an order of possession effective May 31, 2012.

Conclusion

The tenant's application is dismissed.

The landlord has been granted an Order of possession that is effective **at 1 p.m. on May 31, 2012**. This Order may be served on the tenants, filed with the Supreme Court of British Columbia and 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: May 11, 2012.

Residential Tenancy Branch