



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MNDC, MNSD, AAT

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking to cancel a notice to end tenancy; a monetary order and an order; and an order to allow access to the rental unit.

The hearing was conducted via teleconference and was attended by the landlord only.

During the hearing, the landlord's agent verbally requested an order of possession should the tenant be unsuccessful in her Application.

Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities; to an order requiring the landlord to allow access to or from the unit for the tenant or the tenant's guests; to a monetary order for damage or loss; and for all or part of the security deposit, pursuant to Sections 30, 38, 46, 67, and 72 of the *Residential Tenancy Act (Act)*.

If the tenant is unsuccessful in the portion of her Application seeking to cancel the 10 Day Notice for Unpaid Rent it must be decided if the landlord is entitled to an order of possession, pursuant to Section 55 of the *Act*.

Conclusion

In the absence of the applicant tenant, I dismiss this Application in its entirety without leave to reapply. Section 55 of the *Act* stipulates that if a tenant makes an application to dispute a landlord's notice to end tenancy that I must grant the landlord an order of possession if the landlord requests one during the hearing, and I dismiss the tenant's application.

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: May 01, 2012.

Residential Tenancy Branch