



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FF

Introduction

This matter was scheduled for a conference call hearing at 9:30 AM on this date. The Respondent in this matter attended the conference call. As the applicant for this matter did not call into the conference call by 9:40AM, this application is dismissed without leave to reapply.

Section 55(1) of the *Residential Tenancy Act* states:

“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.”*

At the hearing the landlord stated that the tenant has not vacated the unit. She stated that the tenant informed her that they would leave by June 29, 2012; however rent remains unpaid and the landlord would like to take possession of the unit before the date suggested by the tenant. Since the landlord wants possession of the unit and the tenant’s application is dismissed, the landlord is entitled to an order of possession.

Conclusion

I grant the landlord an Order of Possession effective two days from the date the order is served upon the tenant.

This Order may be registered in the Small Claims Court 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 22, 2012.

Residential Tenancy Branch