



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNC

This matter was set for a conference call hearing at 1:00 p.m. on this date. The line remained open while the phone system was monitored for ten minutes. The only participant who called into the hearing during this time was the Respondent. The Applicant failed to attend to present its claim. The Respondent appeared and was ready to proceed. In the absence of the Party who made the application, I dismiss this claim without leave to reapply.

Section 55 of the Act provides that where a tenant's application to dispute a Notice to End Tenancy has been dismissed and the landlord orally requests an Order of Possession at the time of the Hearing, the Landlord must be granted an Order of Possession. As the Landlord requested an Order of Possession at the hearing and the Tenant's application has been dismissed, I find that the Landlord is entitled to an Order of Possession.

I therefore grant an Order of Possession to the Landlord. The Tenant must be served with this **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.

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 28, 2012.

Residential Tenancy Branch