Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNR, FF

Introduction

This hearing was held in response to the tenant's Application for Dispute Resolution in which the tenant has applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and return of the filing fee costs.

This matter was set for hearing at 10:30 a.m. on this date. The applicant/tenant did not attend. The landlord was present at the scheduled start time of the hearing.

The Act states:

> ### Commencement of the dispute resolution proceeding
> *The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Dispute Resolution Officer. The Dispute Resolution Officer may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.*

In the absence of an appearance by the tenant by 10:40 a.m., this application is abandoned and dismissed.

The landlord stated the tenant handed in his keys this morning; however, they requested an Order of possession.

Therefore, as the tenant's application to cancel the 10 Day Notice to End Tenancy for unpaid Rent issued on May 29, 2012, is dismissed, I find, pursuant to section 55(1) of the Act, that the landlord is entitled to an Order of possession.

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*.

Conclusion

The tenant's Application for dispute Resolution is dismissed without leave and, based upon the oral request of the landlord I have issued an Order of possession to the landlord, pursuant to section 55(1) of the Act. The Notice is effective 2 days after service to the tenant.

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: June 27, 2012.

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Residential Tenancy Branch