



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

This matter was set for a conference call hearing at 9 a.m. on this date and was convened in response to an application by the Tenant for an Order cancelling a Notice to End Tenancy pursuant to Section 46 of the *Residential Tenancy Act* (the "Act")

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 Landlord. The Tenant failed to attend to present their claim. The Landlord appeared and was ready to proceed. In the absence of the Tenant who made the application, I dismiss the Tenant's claim without leave to reapply. The Landlord requested an Order of Possession.

Section 55 of the Act provides that where a tenant's application to dispute a landlord's notice to end tenancy has been dismissed and the landlord makes an oral request for an order of possession, the landlord must be granted an order of possession. As the Tenant's application has been dismissed and the Landlord has made a request for an Order of Possession, I find that the Landlord is entitled to an Order of Possession.

I 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: August 13, 2012.

Residential Tenancy Branch