



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT and CNC

Introduction

This hearing was convened on the tenant's application of August 1, 2012 seeking an extension of the time limit within which a tenant may apply to dispute a Notice to End Tenancy for cause and to dispute the Notice to End Tenancy for cause dated June 29, 2012.

As a matter of note, this dispute was the subject of a hearing on July 31, 2012. In her decision of August 1, 2012, the Dispute Resolution Officer noted that neither party had submitted a copy of the Notice to End Tenancy and for that reason, dismissed the tenant's application to set the notice aside with leave to reapply.

Despite having reapplied, the tenant did not call in to the number provided to enable his participation in the present telephone conference call hearing.

Therefore, this application is dismissed without leave to reapply.

On hearing that determination, the landlord requested and I find he is entitled to an Order of Possession under section 55(1) of the *Act* which compels the issuance of such order on the landlord's oral request when an application to set aside is dismissed.

Therefore, as requested by the landlord, his copy of this decision is accompanied by an Order of Possession enforceable through the Supreme Court of British Columbia to take effect at 1 p.m. on September 30, 2012.

Conclusion

On the applicant tenant's failure to appear, the application is dismissed without leave to reapply.

The landlord requested and was issued with an Order of Possession under section 55(1) of the *Act* to take effect on September 30, 2012.

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 29, 2012.

Residential Tenancy Branch