



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing was scheduled to hear a tenant's application to cancel a 1 Month Notice to End Tenancy for Cause. The tenant did not appear at the hearing despite leaving the teleconference call open for 10 minutes. Since the tenant applicant failed to appear for the hearing and the landlord did appear I dismissed the tenant's application without leave to reapply.

The landlord orally requested an Order of Possession during the hearing.

Issue(s) to be Decided

Is the landlord entitled to an Order of Possession?

Background and Evidence

The tenant filed to dispute a 1 Month Notice to End Tenancy for Cause with an effective date of August 31, 2012. The tenant's application has been dismissed.

Analysis

Section 55 of the Act provides that where a tenant applies to cancel a Notice to End Tenancy and the application is dismissed, the landlord will be provided an Order of Possession if the landlord orally requests such during the scheduled hearing.

I am satisfied the criteria of section 55 have been met and the landlord is entitled to an Order of Possession. With this decision I provide the landlord with an Order of Possession to serve upon the tenant. Given the date of this hearing the Order of Possession shall be effective two days after service upon the tenant.

Conclusion

The landlord has been provided an Order of Possession effective two (2) days after service upon 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: August 29, 2012.

Residential Tenancy Branch