



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes: CNC, CNR,

Introduction

This Application for Dispute Resolution by the tenant was seeking to cancel a One-Month Notice to End Tenancy for Cause. The tenant was also seeking to cancel a Ten Day Notice to End Tenancy for Unpaid Rent. However, only a copy of the One-Month Notice to End Tenancy for Cause dated July 20, 2012 was in evidence. No copy of the Ten Day Notice to End Tenancy for Unpaid Rent had been submitted.

Preliminary Matter

The application was set to be heard by conference call. The notice of hearing sent to each party required them to join in the conference call at the time of the hearing by calling in to the number provided and entering the participant code identified. This conference call was set for 10:30 a.m. Only the respondent landlord called in. The line was held open until 10:45 but the applicant failed to appear and the tenant's application to cancel the One-Month Notice was therefore dismissed.

After the tenant's Application was dismissed, the landlord made a request for an order of possession based on the One Month Notice to End Tenancy for Cause. Under the provisions of section 55(1)(a), upon the request of a landlord, I must issue an order of possession when the tenant's application to cancel the Notice has been dismissed.

Accordingly, I grant the landlord's request for an Order of Possession with an effective date of September 30, 2012. The tenant must be served with the 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.

Based on the above, I hereby dismiss the tenant's application without leave to reapply.

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 28, 2012.

Residential Tenancy Branch