



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNR, OPR

Introduction

This hearing was held in response to the tenant's Application for Dispute Resolution in which the tenant applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and a 1 Month Notice to End Tenancy for Cause.

The landlord was present at the hearing; the tenant did not attend.

After 10 minutes I dismissed the tenant's application; the landlord requested an Order of possession and the hearing was ended.

Section 55(1) of the Act provides:

55 (1) *If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant an order of possession of the rental unit to the landlord if, at the time scheduled for the hearing,*

- (a) the landlord makes an oral request for an order of possession, and*
- (b) the director dismisses the tenant's application or upholds the landlord's notice.*

The tenant's application is dismissed and the landlord requested an Order of possession. I find pursuant to section 55 of the Act that the landlord is entitled to an Order of possession that is effective 2 days after service to the tenant.

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.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: September 13, 2012.

Residential Tenancy Branch