



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes: CNC

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant seeking an order to cancel a One-Month Notice to End Tenancy for Cause.

This matter was set for hearing by telephone conference call at 1:00 p.m. on this date. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the respondent landlord. The applicant did not attend the hearing by 1:10 p.m., while the respondent appeared and was ready to proceed.

The landlord stated that the tenant likely did not appear because he had verbally told the landlord that would be vacating and was currently looking for a new home. As the applicant tenant did not appear, the tenant's application and the request for order to cancel the One-Month Notice to End Tenancy for Cause must be dismissed.

The landlord requested an order of possession effective October 31, 2012. Under section 55(1) of the Residential Tenancy Act, upon the request of a landlord, I must issue an order of possession when I have upheld a notice to end tenancy.

Conclusion

The tenant's application is dismissed without leave to reapply.

I hereby issue an Order of Possession in favour of the landlord effective October 31, 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.

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: September 13, 2012.

Residential Tenancy Branch