



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNR, MNDC, FF

Introduction:

This hearing dealt with an application by the tenant for an order to set aside a notice to end tenancy and for the recovery of the filing fee. The tenant also applied for a monetary order for compensation. This matter was set for a conference call hearing at 1:00 p.m. on this date. As of 1:10 p.m., the applicant/tenant had not called into the conference call. The respondent/landlord called in.

During the waiting period, the landlord made an oral request for an order of possession, in the event that the notice to end tenancy is upheld.

Analysis

The applicant applied to cancel the notice to end tenancy and did not attend the hearing. Therefore the notice to end tenancy is upheld.

The landlord made a request under section 48 of the legislation for an order of possession. Under the provisions of section 48, upon the request of a landlord, I must issue an order of possession when I have upheld a notice to end tenancy. Accordingly, I so order. 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.

Conclusion

The notice to end tenancy is upheld and I grant the landlord an order of possession effective two days after service on the tenant. The remainder of the tenant's application is dismissed 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 *Manufactured Home Park Tenancy Act*.

Dated: November 16, 2012.

Residential Tenancy Branch

