



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing was convened on the tenant's application of February 13, 2013 seeking to have set aside a 10-day Notice to End Tenancy for unpaid rent dated February 8, 2013 and setting an end of tenancy date of February 18, 2013.

Despite having made this application, the tenant did not call in to the number provided to enable her participation in the telephone conference call hearing. The respondent landlord did participate and gave evidence that February and March 2013 have not been paid and the tenant remains in the rental unit.

In the absence of the applicant tenant with participation by the respondent landlord, the application is dismissed without leave to reapply.

On hearing that determination, the landlord requested an Order of Possession under section 55(1) of the *Act* which compels the issuance of the order on the landlord's oral request when a tenant's application to set aside a notice to end tenancy is dismissed.

The landlord' copy of this decision is accompanied by the Order of Possession, enforceable through the Supreme Court of British Columbia, to take effect two days from service of it on the tenant. The landlord remains at liberty to make application for any monetary losses ascertained at the end of the tenancy.

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: March 08, 2013

Residential Tenancy Branch