



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Westsea Construction Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction and Analysis

This telephone conference call hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act") seeking an order cancelling the landlord's 1 Month Notice to End Tenancy for Cause (the "Notice")

The hearing began at 9:00 a.m. as scheduled and the telephone system remained open and was monitored for 11 minutes. During this time, the applicant/tenant did not dial into the telephone conference call hearing; however the landlords appeared and were ready to proceed with the hearing.

The landlord requested an order of possession for the rental unit at the hearing.

In the absence of the tenant for his hearing, pursuant to section 10.1 of the Residential Tenancy Branch Rules of Procedure (Rules), I dismiss the tenant's application, without leave to reapply.

As I have dismissed the tenant's application, I find the landlord is entitled to an order of possession for the rental unit pursuant to section 55 of the Act.

Conclusion

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

I grant the landlord an order of possession for the rental unit effective 2 days after service upon the tenant.

This final, legally binding order of possession is enclosed with the landlord's Decision.

Should the tenant fail to vacate the rental unit pursuant to the terms of the order, this order may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court. The tenant is advised that costs of such enforcement are recoverable from the tenant.

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* and is being mailed to both the applicant and the respondent.

Dated: May 02, 2013

Residential Tenancy Branch