



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Prince George Native Friendship Centre
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MT, CNC

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking more time to apply to cancel notice to end tenancy and to cancel a notice to end tenancy.

The hearing was conducted via teleconference and was attended by two agents for the landlord. The tenant did not attend.

During the hearing, the landlord's agents verbally requested an order of possession should the tenant be unsuccessful in her Application.

Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to more time to cancel a notice to end tenancy and to cancel a 1Month Notice to End Tenancy for Cause, pursuant to Sections 47 and 66 of the *Residential Tenancy Act (Act)*.

If the tenant is unsuccessful in her Application seeking to cancel the 1 Month Notice to End Tenancy for Cause it must be decided if the landlord is entitled to an order of possession, pursuant to Section 55 of the *Act*.

Analysis

As the tenant failed to attend the hearing I dismiss her application in its entirety.

Section 55(1) of the *Act* states if a tenant makes an Application for Dispute Resolution to dispute a landlord's notice to end tenancy, the director must grant an order of possession to the landlord if, the landlord makes an oral request for an order of possession and the director dismisses the tenant's Application or upholds the landlord's notice.

As the landlord's agent requested an order of possession during the hearing and I have dismissed the tenant's Application I find the landlord is entitled to an order of possession. However the landlords confirmed rent is due on the 1st of each month and the effective date on the 1 Month Notice to End Tenancy for Cause was listed as May 9,

2013. In accordance with Section 53 of the *Act*, I find the correct effective date of the Notice issued on April 9, 2013 is May 31, 2013.

Conclusion

I find the landlord is entitled to an order of possession effective **May 31, 2013 after service on the tenant**. This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be 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: May 13, 2013

Residential Tenancy Branch

