



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Mauro & Mauro Inc.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MT, CNR

### Introduction

This was a hearing with respect to the tenant's application to cancel a 10 day Notice to End Tenancy for unpaid rent. The hearing was conducted by conference call. The landlord's representative called in to participate in the hearing at the appointed time. The tenant did not call in and did not participate in the hearing although this was the hearing of the tenant's application and although the hearing was kept open for more than 10 minutes to allow the tenant an opportunity to call in.

### Conclusion

The tenant had not appeared at the hearing of his application by 2:40 P.M. In the absence of an appearance by the applicant, I dismiss his application for dispute resolution without leave to reapply.

Section 55 of the *Residential Tenancy Act* provides as follows:

- 55** (1) If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant an order of possession of the rental unit to the landlord if, at the time scheduled for the hearing,
- (a) the landlord makes an oral request for an order of possession, and
  - (b) the director dismisses the tenant's application or upholds the landlord's notice.

I have dismissed the tenant's application to dispute the landlord's Notice to End Tenancy. The landlord made an oral request for an order of possession at the hearing. Pursuant to section 55 I grant the landlord an order for possession effective two days

after service upon the tenant. This order may be registered in the Supreme Court 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: June 11, 2013

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Residential Tenancy Branch

