



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes:

CNR, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a Ten-Day Notice to End Tenancy for Unpaid Rent or Utilities dated June 18, 2013 that was served on the tenant by the landlord.

The applicant tenant failed to appear at the hearing, but the respondent landlord was present and prepared to dispute the tenant's application.

Because the applicant tenant did not appear, I find that the tenant's application requesting an order to cancel the Ten-Day Notice must be dismissed.

Therefore the 10-Day Notice to End Tenancy for Unpaid Rent remains valid and has been upheld.

During the hearing, the landlord made a request for an Order of Possession to terminate the tenancy and take possession of the tenant's rental unit as soon as possible.

Under the provisions of section 55(1) of the Act, when a tenant's application to cancel a 10-Day Notice has been dismissed, an arbitrator, must issue an order of possession upon the request of a landlord.

Accordingly, I hereby issue an Order of Possession in favour of the landlord effective two days after service to the tenant.

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.

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

Conclusion

The tenant's application is dismissed without leave as the tenant failed to attend the hearing. The landlord is granted an Order of Possession by request.

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: July 24, 2013

Residential Tenancy Branch