



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Fair Lable Enterprises  
and [tenant name suppressed to protect privacy]

## DECISION

### Dispute Codes:

CNC, FF

### Introduction

The tenant applied to dispute a 1 Month Notice to End Tenancy for Cause issued on May 31, 2013 and to recover the filing fee cost.

At the scheduled start of the hearing, 1:30 p.m.; the 2 landlord employees and their witness were present on 3 separate conference call telephone lines. The tenant did not dial into the conference call hearing and at 1:40 p.m. his application was dismissed.

The landlord requested an Order of possession.

Section 55(1) of the Act provides:

**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.*

Therefore, I find, pursuant to section 55 of the Act, that the landlord is entitled to an Order of possession effective 2 days after service to the tenant.

The landlord has been granted an Order of possession that is effective **two days after it is served upon the tenant**. This Order may be served on the tenant, filed with the Supreme Court of British Columbia and enforced as an Order of that Court.

### Conclusion

The tenant's application is dismissed.

The landlord is entitled to an Order of possession.

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 11, 2013

---

Residential Tenancy Branch