



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Westcott Middlegate Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This was a hearing with respect to the tenants' 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 into the hearing at the appointed time, but the tenants did not attend even though this was the hearing of their application

Issue(s) to be Decided

Should the Notice to End Tenancy be cancelled?
Is the landlord entitled to an order for possession?

Background and Evidence

The landlord's representative testified that the rent in the amount of \$954.00 is due on the last day of each month for the upcoming month. The tenants failed to pay rent for June and the landlord served the tenants with a 10 day Notice to End Tenancy for unpaid rent on June 1, 2013. The landlord's representative said that the tenants have not paid rent for June, or for July.

Analysis

The hearing commenced at 2:30 P.M. The tenants had not appeared at the hearing of their application by 2:40 P.M. In the absence of an appearance by the applicants, I dismiss their 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.

Conclusion

I have dismissed the tenants' 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 tenants. 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: July 04, 2013

Residential Tenancy Branch

