



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Mount Benson Senior Citizens Housing Society  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MT CNR

This matter was set for hearing by telephone conference call at 11:00 a.m. on this date. The tenant applied to cancel a notice to end tenancy.

The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the respondent. Therefore, as the applicant did not attend the hearing by 11:10 a.m., and the respondent appeared and was ready to proceed, I dismiss the claim without leave to reapply.

During the hearing the landlord orally requested an order of possession. Under section 55 of the Act, when a tenant applies to cancel a notice to end tenancy and the application is dismissed, if in the hearing the landlord orally requests an order of possession it must be granted. Accordingly, I grant the landlord an order of possession.

The order of possession is effective two days from service. 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.

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: August 9, 2013

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Residential Tenancy Branch

