



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Capreit Limited Partnership
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

CNR, CNC

Introduction

This hearing was scheduled in response to an Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Unpaid Rent and in response to an Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause.

Issue(s) to be Decided

Should either of the Notices to End Tenancy be set aside?

Background and Evidence

The hearing was scheduled for 1:00 p.m. on this date and by 1:11 p.m. the Landlord had appeared, but the Tenant had not appeared. While we were waiting for the Tenant to appear at the hearing the female Agent for the Landlord requested an Order of Possession.

Analysis

I find that the Tenant failed to diligently pursue both Applications for Dispute Resolution, I dismiss them both without leave to reapply.

Conclusion

As I dismissed the application to set aside a Notice to End Tenancy for Cause and the application to set aside a Notice to End Tenancy for Unpaid Rent, I grant the Landlord an Order of Possession, as requested at the hearing, that is effective two days after it is served upon the Tenant. This Order is granted pursuant to section 55 of the Act. The Order may be served upon the Tenant, filed with the Supreme Court of British Columbia, and files 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 17, 2013

Residential Tenancy Branch