



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding EMV HOLDINGS  
and [tenant name suppressed to protect privacy]

## **Decision**

### **Dispute Codes:**

CNC, OPC

### **Introduction**

This Application for Dispute Resolution was submitted by the tenant seeking to cancel a One-Month Notice to End Tenancy for Cause served by posting it on the tenant's door on June 28, 2013 and purporting to be effective July 31, 2013. The hearing was also convened to hear a cross application by the landlord seeking an Order of Possession based on the One-Month Notice to End Tenancy for Cause. The application

This application was set to be heard by conference call at 10:30 a.m. The notice of hearing issued to each party by the Residential Tenancy Branch, required each participant to join in the conference call at the time scheduled by making a phone call to the number provided and entering the participant code identified.

Only the landlord called in to the conference call. The line was held open for 15 minutes, but the applicant tenant failed to appear and the hearing ended at 10:15 a.m. without any testimony being given.

Based on the above, the tenant's application is dismissed without leave to reapply.

At the hearing, the landlord made a request for an order of possession. Under the provisions of section 55(1)(a), upon the request of a landlord, I must issue an order of possession when I have upheld a Notice to End Tenancy.

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

This Order is final and binding and must be served on the Applicant tenant. It may be enforced by an application to the Supreme Court if necessary.

**Conclusion**

The applicant tenant is not successful in the application and it was dismissed without leave to reapply because the applicant tenant did not appear. An Order of Possession is granted to the landlord at the landlord's 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: September 10, 2013

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Residential Tenancy Branch

