



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Nacel Properties Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, OLC, MNDC

Introduction

This telephone conference call hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act") seeking an order cancelling the landlord's 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the "Notice"), for an order requiring the landlord to comply with the Act, and a monetary order for money owed or compensation for damage or loss.

The hearing began at 9:00 a.m. as scheduled and the telephone system remained open and was monitored for 10 minutes. During this time, the applicant/tenant did not dial into the telephone conference call hearing; however the landlord was present and ready to proceed with the hearing. During the hearing, the landlord made an oral request for an order of possession for the rental unit.

Analysis and Conclusion

In the absence of the tenant to present her claim, pursuant to section 10.1 of the Residential Tenancy Branch Rules of Procedure (Rules), I dismiss the tenant's application, without leave to reapply.

As I have dismissed the tenant's application for dispute resolution, under section 55(1) of the Act, I must grant the order of possession to the landlord due to their oral request during the hearing.

I therefore grant the landlord an order of possession for the rental unit effective 2 days after service on the tenant as the effective end of tenancy date listed on the landlord's 10 Day Notice was August 12, 2013.

This final, legally binding order of possession is enclosed with the landlord's Decision and must be served upon the tenant.

Should the tenant fail to vacate the rental unit pursuant to the terms of the order, this order may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court. The tenant is advised that costs of such enforcement are recoverable from the tenant.

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* and is being mailed to both the applicant and the respondent.

Dated: September 27, 2013

Residential Tenancy Branch

