



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding AFFORDABLE HOUSING ADVISORY ASSOCIATION
and [tenant name suppressed to protect privacy]

Decision

Dispute Codes: CNC, CNL

Introduction

This Application for Dispute Resolution submitted by the tenant was seeking to cancel a One-Month Notice to End Tenancy for Cause dated August 22, 2013 and effective September 30, 2013. The tenant had also indicated that he was seeking to cancel a Two Month Notice to End Tenancy for Landlord's Use, but no copy of such Notice was submitted.

This application was set to be heard by conference call at 1:00 p.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 respondent landlord called in to the conference call. The line was held open for 10 minutes, but the applicant failed to appear and the hearing ended at 1:10 p.m. without any testimony being given.

Preliminary Issue

The landlord advised that the tenant had incorrectly named the landlord's agent as a co-landlord and respondent and requested that only the landlord's business name be included in the style of cause as respondent.

Accordingly the tenant's application was amended to remove the agent's name and the matter proceeded only against the landlord's commercial name.

Analysis

As the tenant did not appear, the tenant's application was 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. The application is 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: October 29, 2013

Residential Tenancy Branch

