



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC CNR OLC FF OPR MNR

Introduction

This hearing convened pursuant to applications by the tenant and the landlord. The tenant applied to cancel two notices to end tenancy, as well as for an order that the landlord comply with the Act. The landlord applied for an order of possession and monetary compensation for unpaid rent.

Tenant's Application and Order of Possession

This matter was set for hearing by telephone conference call at 1:00 p.m. on this date. The line remained open while the phone system was monitored for 15 minutes and the only participant who called into the hearing during this time was the landlord. Therefore, as the tenant did not attend the hearing by 1:15 p.m., and the landlord appeared and was ready to proceed, I dismiss the tenant's claim without leave to reapply.

In the hearing the landlord orally requested an order of possession. When a tenant applies to cancel a notice to end tenancy and their application is dismissed, if the landlord orally requests an order of possession I must grant it. I therefore grant the landlord an order of possession.

Landlord's Monetary Claim

The landlord stated that he served his application by posting it on the rental unit door. An application for monetary compensation cannot be served by posting. I therefore dismiss the landlord's monetary claim with leave to reapply.

Conclusion

The tenant's application is dismissed.

The landlords' monetary claim is dismissed with leave to reapply.

I grant the landlord an order of possession 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: December 19, 2013

Residential Tenancy Branch

