



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes:

CNR, MT, RP

### Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant has made application to set aside a Notice to End Tenancy for Unpaid Rent; for more time to set aside a Notice to End Tenancy for Unpaid Rent; and for an order requiring the Landlord to make repairs to the rental unit.

### Issue(s) to be Decided

Should the Notice to End Tenancy for Unpaid Rent, served pursuant to section 46 of the *Residential Tenancy Act (Act)*, be set aside; should the Tenant be granted more time to set aside the Notice to End Tenancy; and is there a need to order the Landlord to repair the rental unit?

### Background and Evidence

The hearing was scheduled for 1:00 p.m. on this date. The Landlord joined the teleconference prior to the scheduled start time and by 1:10 p.m. the Tenant had not appeared. Prior to the conclusion of the hearing, the Landlord requested an Order of Possession.

### Analysis

I find that the Tenant failed to diligently pursue the application and I therefore dismiss the application without leave to reapply.

### Conclusion

Pursuant to section 55(1) of the *Act*, I grant the Landlord an Order of Possession, as requested at the hearing, which is effective two days after it is served upon the Tenant. This Order may be served on the Tenant, filed with 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 09, 2013

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Residential Tenancy Branch

