



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CAPITAL REGIONAL HOUSING CORPORATION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, MT

Introduction

This hearing was scheduled to deal with a tenant's application to cancel a 1 Month Notice to End Tenancy for Cause and more time to file the application. Agents for the landlord were in attendance at the hearing. The tenant did not appear at the hearing despite leaving the teleconference call open for at least 10 minutes. Accordingly, I dismissed the tenant's application without leave.

The landlord stated the tenant sent an email on March 10, 2014 confirming that she would be moving out at the end of March 2014. The landlord orally requested an Order of Possession be provided to ensure vacant possession is returned and that the effective date be March 31, 2014.

Issue(s) to be Decided

Is the landlord entitled to an Order of Possession as requested?

Background and Evidence

The tenant filed to dispute a 1 Month Notice to End Tenancy for Cause that was issued on February 4, 2014 with a stated effective date of March 31, 2014. The tenant's request to cancel the Notice has been dismissed as explained above.

Analysis

Section 55 of the Act provides that an Order of Possession shall be granted to a landlord where:

- The tenant files to cancel a notice to End Tenancy and the application is dismissed; and,
- The landlord orally requests an Order of Possession during the scheduled hearing.

I am satisfied the criteria of section 55 have been met and the landlord is entitled to an Order of Possession effective March 31, 2014 as requested.

Provided to the landlord with this decision is an Order of Possession effective at 1:00 p.m. on March 31, 2014.

Conclusion

The tenant's application has been dismissed and the landlord's request for an Order of Possession effective March 31, 2014 has been granted pursuant to section 55 of the Act.

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: March 27, 2014

Residential Tenancy Branch

