



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, CNR, LRE, LAT, RR

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant for an order cancelling a notice to end tenancy for cause; for an order cancelling a notice to end tenancy for unpaid rent or utilities; for an order suspending or setting conditions on the landlord's right to enter the rental unit; for an order allowing the tenant to change the locks to the rental unit; and to allow the tenant to reduce rent for repairs, services or facilities agreed upon but not provided.

The landlord attended the hearing, however the tenant did not. The line remained open while the phone system was monitored for 10 minutes and the only participant who joined the call was the landlord. I therefore dismiss the tenant's application in its entirety without leave to reapply.

The tenant had provided copies of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated February 28, 2014 containing an effective date of vacancy of February 28, 2014 and a 1 Month Notice to End Tenancy for Cause dated February 28, 2014 with an effective date of vacancy of April 1, 2014. The landlord stated that rent is payable on the 1st day of each month set out in the written tenancy agreement, and the landlord requested an Order of Possession.

Analysis

The *Residential Tenancy Act* states that:

55 (1) If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant an order of possession of the rental unit to the landlord if, at the time scheduled for the hearing,

- (a) the landlord makes an oral request for an order of possession, and
- (b) the director dismisses the tenant's application or upholds the landlord's notice.

Having dismissed the tenant's application, and upon the landlord requesting an Order of Possession, I hereby grant same effective April 1, 2014 at 1:00 p.m.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed in its entirety without leave to reapply.

I hereby grant an Order of Possession in favour of the landlord effective April 1, 2014 at 1:00 p.m.

This order is final and binding and may be enforced.

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 31, 2014

Residential Tenancy Branch

