



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Homeland Holdings  
and [tenant name suppressed to protect privacy]

## **DECISION**

CNC, OLC, MT

### Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause, for more time to apply to cancel a Notice to End Tenancy, and for an Order requiring the Landlord to comply with the *Residential Tenancy Act (Act)* or the tenancy agreement.

### Issue(s) to be Decided

Should the Tenant be granted more time to apply to cancel a Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, and should that Notice be set aside?

### Background and Evidence

The hearing was scheduled for 1:00 p.m. on May 01, 2014. The Landlord dialed into the teleconference at the scheduled start time but by 1:15 p.m. the Tenant had still not appeared.

The Landlord requested an Order of Possession on the basis of the One Month Notice to End Tenancy that is the subject of these proceedings, which has a declared effective date of March 31, 2014.

### Analysis

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

### Conclusion

As I have dismissed the Tenant's application to set aside the Notice to End Tenancy, I grant the Landlord an Order of Possession, as requested at the hearing, pursuant to

section 55(1) of the *Act*. **The Order of Possession requires the Tenant to vacate the rental unit two days after it is served upon the Tenant.**

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: May 02, 2014

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Residential Tenancy Branch

