



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding RAAMCO INTERNATIONAL PROPERTIES CANADIAN LTD.  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      CNC

### Introduction

This hearing dealt with the tenants' Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act"), seeking to cancel a 1 Month Notice to End Tenancy for Cause (the "1 Month Notice").

The hearing was held at the Victoria Residential Tenancy Branch and began at 11:00 a.m. on Wednesday, April 23, 2014, Pacific Time, as indicated on the Notice of a Dispute Resolution Hearing document dated February 28, 2014. The only participants who attended the hearing were two agents for the respondent landlord company, "DM" and "SM", (the "agents").

After waiting a total of seventeen minutes, the applicant tenant did not attend the hearing by 11:17 a.m., and the tenant's application was **dismissed without leave to reapply**.

Following my dismissal of the tenant's application, agent "DM" requested an order of possession. Under section 55 of the Act, **I must** grant that request. Section 55 of the Act states:

### **Order of possession for the landlord**

**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.

[emphasis added]

Therefore, I grant the landlord an order of possession effective **two (2) days** after service upon the tenant as the effective vacancy date of the 1 Month Notice, which was March 31, 2014, has passed. This order must be served on the tenant and may be enforced in the Supreme Court of British Columbia. The hearing lasted a total of twenty-one minutes.

### Conclusion

The tenant's application is dismissed without leave to reapply.

The landlord has been granted an order of possession effective two (2) days after service upon the tenant. This order must be served on the tenant and may be enforced in the Supreme Court of British Columbia.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: April 23, 2014

---

Residential Tenancy Branch

