



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR FF

Introduction

This hearing dealt with the tenant's application to cancel a notice to end tenancy for unpaid rent. The tenant, the landlord and an agent for the landlord participated in the teleconference hearing.

Issue(s) to be Decided

Is the notice to end tenancy valid?

If so, is the landlord entitled to an order of possession?

Background and Evidence

In the hearing the tenant acknowledged that he owed the unpaid rent set out in the notice to end tenancy. The tenant stated that he had been unable to pay the rent because he had been in an accident and was in the hospital.

In the hearing the landlord orally requested an order of possession.

Analysis

The tenant acknowledged that he owed the rent set out on the notice. I found that the notice was therefore valid, and I dismissed the tenant's application.

Under section 55 of the Act, when a tenant applies to cancel a notice to end tenancy and the application is dismissed, if the landlord orally requests an order of possession in the hearing, I must grant the order. As the landlord orally requested an order of possession, I accordingly grant the order.

As his application was unsuccessful, the tenant is not entitled to recovery of the filing fee for the cost of his application.

Conclusion

The tenant's application is dismissed.

I grant the landlord an order of possession effective two days from service. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in 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: May 9, 2014

Residential Tenancy Branch

