



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNE, CNR

Introduction

This hearing dealt with the tenants' Application for Dispute Resolution seeking to cancel two notices to end tenancy.

The hearing was conducted via teleconference and was attended by the landlord only.

During the hearing, the landlord verbally requested an order of possession should the tenants be unsuccessful in their Application.

Issue(s) to be Decided

The issues to be decided are whether the tenants are entitled to cancel a 10 Day Notice to End Tenancy for Unpaid Rent, pursuant to Section 46 of the *Residential Tenancy Act (Act)*.

If the tenants are unsuccessful in their Application seeking to cancel the 10 Day Notice to End Tenancy for Unpaid Rent it must be decided if the landlord is entitled to an order of possession, pursuant to Section 55 of the *Act*.

Background and Evidence

The tenants provided into evidence a copy of a 10 Day Notice to End Tenancy for Unpaid Rent issued by the landlord on April 2, 2014 with an effective vacancy date of April 12, 2014 due to \$5,741.74 in unpaid rent.

Analysis

As the tenants failed to attend the hearing and present any testimony or evidence that this notice should be cancelled, I dismiss the tenants' Application in its entirety.

Section 55(1) of the *Act* states if a tenant makes an Application for Dispute Resolution to dispute a landlord's notice to end tenancy, the director must grant an order of possession to the landlord if, the landlord makes an oral request for an order of

possession and the director dismisses the tenant's Application or upholds the landlord's notice.

Conclusion

Based on the above, I find the landlord is entitled to an order of possession effective **two days after service on the tenants**. This order must be served on the tenants. If the tenants fail to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be 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 23, 2014

Residential Tenancy Branch

