



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Duncan Kiwanis Village Society  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MT CNC

### Introduction

This hearing was convened pursuant to the tenant's application to cancel a notice to end tenancy as well as for an extension of time to make the application. The tenant and an agent for the landlord participated in the teleconference hearing.

### Preliminary Issue – Extension of Time

On March 20, 2014 the tenant was served with a one-month notice to end tenancy for cause. The corrected effective date of the notice, as per section 53, was April 30, 2014. The tenant made her application to cancel the notice on June 2, 2014.

Under section 66 of the Act, I cannot extend the time limit to make an application for dispute resolution to dispute a notice to end a tenancy beyond the effective date of the notice. As the tenant's application was made after the effective date of the notice, I did not have the authority to grant the tenant an extension of time, and I dismissed the tenant's application.

In the hearing the landlord orally requested an order of possession. Under section 55 of the Act, when a tenant's application to cancel a notice to end tenancy is dismissed and the landlord orally requests an order of possession in the hearing, I must grant the order of possession. The landlord stated that they would be willing to extend the date on the order to July 31, 2014. Accordingly, I granted the landlord an order of possession effective July 31, 2014.

Conclusion

The tenant's application is dismissed.

I grant the landlord an order of possession effective July 31, 2014. 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: July 18, 2014

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Residential Tenancy Branch

