



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR MT

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution, seeking to cancel a 10 day Notice to End Tenancy for Unpaid Rent or Utilities and to allow a tenant more time to make an application to cancel a notice to end tenancy.

The landlord attended the teleconference hearing. The applicant tenant did not attend the teleconference hearing. The hearing was by teleconference and was to begin at 1:30 p.m. Pacific Time on this date, Thursday, September 25, 2014. The line remained open while the phone system was monitored for 16 minutes and the only participant who called into the hearing during this time was the respondent landlord. After the ten minute waiting period and as the applicant tenant did not attend the hearing to present the merits of her application, the tenant's application was **dismissed without leave to reapply**.

Following my dismissal of the tenant's application, the landlord made an oral request for an order of possession. Pursuant to section 55 of the Act, I must grant that request once the tenant's application has been dismissed. Therefore, as the effective vacancy date of the 10 Day Notice has already passed, **I grant** the landlord 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.

Conclusion

The tenant's application has been dismissed without leave to reapply.

The landlord has been granted an order of possession effective two (2) days after service upon the tenant. The order of possession 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: September 25, 2014

Residential Tenancy Branch

