



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ATIRA PROPERTY MANAGEMENT
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, AS

Introduction

This hearing dealt with the Tenant's Application for Dispute Resolution, in which he sought to cancel a Notice to End Tenancy for various causes issued to him by the Landlord and to allow the Tenant to assign or sublet the rental unit.

The line remained open and was monitored for 10 minutes; however, the Tenant Applicant did not appear at the hearing. The Agent for the Landlord appeared at the hearing and was ready to proceed.

Following the 10 minute waiting period the Tenant's Application was dismissed.

Analysis

The Agent for the Landlord orally requested an order of possession for the unit following the dismissal of the Tenant's Application.

Under section 55 of the Act, I must grant the request for an order of possession. The Agent for the Landlord requested the order of possession be made effective **two days after service**.

The Agent for the Landlord explained the Tenant had paid the rent for September 2014, but was issued a receipt for use and occupancy only as the Notice to End Tenancy had an effective date of August 31, 2014.

The Agent agreed that if the Tenant left before the end of September his payment would be pro-rated and he would be refunded the amount due.

Therefore, I grant the Landlord an order of possession for the rental unit **effective two days after service on the Tenant.**

The Landlord must serve the Tenant a copy of the order as soon as possible and this order may be enforced in the British Columbia Supreme Court.

This decision is final and binding on the parties, unless 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 Act.

Dated: September 22, 2014

Residential Tenancy Branch

