



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Broadway Pentecostal Benevolent Association
and [tenant name suppressed to protect privacy]

DECISION

Codes: CNC, ERP

Introduction

The tenant has applied an order pursuant to section 47(4) of the Residential Tenancy Act to set aside a Notice of End a Residential Tenancy July 14, 2014 and setting the end of tenancy for August 31, 2014. The tenant also requested an Order to make repairs. Only the landlord attended this hearing for which the duration was thirteen minutes.

Issue(s) to be Decided

Is the tenant entitled to any relief or landlord entitled to an Order for Possession?

Background and Evidence

The landlord's agent testified that he served the Notice to End the Tenancy on July 14, 2014 by handing it to the tenant. The landlord requested an Order for Possession effective November 30, 2104.

Analysis

The Notice to End a Residential Tenancy relies on sections 47(1)(i) of the Residential Tenancy Act. That section provides as follows:

Landlord's notice: cause

47 (1) A landlord may end a tenancy by giving notice to end the tenancy if one or more of the following applies:

- (i) significantly interfered with or unreasonably disturbed another occupant or the landlord of the residential property

The tenant disputed the Notice but failed to attend the hearing. Pursuant to Rule 10.1 of the Rules of Procedure I dismissed all of the tenant's applications and upheld the Notice to End the Tenancy. Section 55(1)(a) provides that the arbitrator must grant an order of

possession of the rental unit it, the landlord makes an oral request for an order of possession at a hearing where an arbitrator has dismissed the tenant's application pursuant to section 47 and has upheld the Notice. The landlord has made this request at the hearing. As a result I granted the landlord an Order for Possession.

Conclusion

I have upheld the Notice to End the Tenancy. As a result I granted the landlord an Order for Possession effective November 30, 2014. The tenant must be served with this Order as soon as possible. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement. I have dismissed all of the tenant's applications. There will not be any recovery of the filing fee herein.

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: October 07, 2014

Residential Tenancy Branch

