



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Gabriola Const.  
and [tenant name suppressed to protect privacy]

## **DECISION**

### Dispute Codes:

CNC, FF

### Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause and to recover the fee for filing this Application.

### Issue(s) to be Decided

Should the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

### Background and Evidence

The hearing was scheduled for 10:30 a.m. on this date and by 10:41 a.m. the Agent for the Landlord had appeared, but the Tenant had not appeared.

The One Month Notice to End Tenancy that was submitted in evidence is dated August 11, 2014 and declares that the tenancy will end on September 11, 2014.

### Analysis

I find that the Tenant failed to diligently pursue the Application and I therefore dismiss the Application without leave to reapply. Upon being advised that the Application was being dismissed, the Agent for the Landlord requested possession of the rental unit.

### Conclusion

As I am dismissing the Tenant's application to set aside the One Month Notice to End



Tenancy, I grant the Landlord an Order of Possession, as requested at the hearing, which will be on October 31, 2014.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: October 15, 2014

---

Residential Tenancy Branch



