



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, MNDC, OLC, ERP, RP, PSF, FF

This hearing, which was set for 9:00 am on this date, was to deal with an application by the tenant for an orders setting aside a 10 Day Notice to End Tenancy for Non-Payment of Rent; compelling the landlord to comply with the Act, regulation or tenancy agreement; compelling the landlord to make emergency repairs; compelling the landlord to provide services or facilities required by law; and granting the tenant a monetary order.

The landlord appeared at the hearing; the tenant did not. In the absence of an appearance by the applicant by 9:11 am, the tenant's application is dismissed without leave to re-apply.

Section 55(1) of the *Residential Tenancy Act* provides that if a tenant makes an application to set aside a landlord's notice to end a tenancy and the application is dismissed, the dispute resolution officer must grant an order of possession of the rental unit to the landlord if, at the time scheduled for the hearing, the landlord makes an oral request for an order of possession.

The landlord did make an oral request for an order of possession. The landlord is entitled to an order of possession effective two days after service on the tenant. If necessary, this order may be filed in the Supreme Court 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: October 07, 2014

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Residential Tenancy Branch

