



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNC, OLC, LRE

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 1 Month Notice to End Tenancy for Cause; granting him more time to make that application; compelling the landlord to comply with the Act, regulation or tenancy agreement; and restricting the landlord's right of entry. The landlord appeared at the hearing; the tenant did not. In the absence of an appearance by the applicant by 9:14 am, his application is dismissed in full 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 arbitrator 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: November 28, 2014

Residential Tenancy Branch

