



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, MNDC, RP, PSF, LRE

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution to cancel a notice to end tenancy; orders for repairs; services and facilities; and to restrict the landlord's access to the rental unit; and a monetary order.

The hearing was conducted via teleconference and was attended by the landlord only.

During the hearing, the landlord verbally requested an order of possession should the tenant be unsuccessful in her Application.

Issue(s) to be Decided

The issue to be decided is whether the tenant is entitled to cancel a 1 Month Notice to End Tenancy for Cause, pursuant to Section 47 of the *Residential Tenancy Act (Act)*.

If the tenant is unsuccessful in her Application seeking to cancel the 1 Month Notice to End Tenancy for Cause it must be decided if the landlord is entitled to an order of possession, pursuant to Section 55 of the *Act*.

Background and Evidence

The landlord confirmed that on October 10, 2014 she provided the tenant with a 1 Month Notice to End Tenancy for Cause with an effective vacancy date of November 30, 2014 citing the tenant was repeatedly late paying rent.

Analysis

Section 47 of the *Act* allows a landlord to end a tenancy by giving notice to end the tenancy if the tenant is repeatedly late paying rent.

As the tenant has failed to attend this hearing I dismiss her Application for Dispute Resolution in its entirety.

Section 55(1) of the *Act* states if a tenant makes an Application for Dispute Resolution to dispute a landlord's notice to end tenancy, the director must grant an order of possession to the landlord if, the landlord makes an oral request for an order of possession and the director dismisses the tenant's Application or upholds the landlord's notice.

As I have dismissed the tenant's Application seeking to cancel a notice to end tenancy I find the landlord is entitled to an order of possession pursuant to Section 55(1).

Conclusion

I grant the landlord an order of possession effective **two days after service on the tenant**. This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be 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: December 02, 2014

Residential Tenancy Branch

