



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes:**

CNL; FF

### **Introduction**

This Hearing was scheduled to hear the Tenant's application to cancel a Notice to End Tenancy for Landlord's Use; and to recover the cost of the filing fee from the Landlords.

This application was scheduled to be heard via teleconference on January 6, 2015, at 3:00 p.m. The Landlords signed into the conference on time and were ready to proceed, however by 3:13 p.m., the Tenant had not yet signed into the teleconference. Therefore, I consider the Tenant has abandoned her application and it is **dismissed without leave to reapply**.

The Landlords requested an Order of Possession.

### **Background and Evidence**

The Landlords gave the following affirmed testimony:

- The Landlords hand-delivered the Notice to End Tenancy to the Tenant at the rental unit on November 27, 2014.

### **Analysis**

Section 55(1) of the Act states:

#### **Order of possession for the landlord**

**55** (1) If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant an order of possession of the rental unit to the landlord if, at the time scheduled for the hearing,

(a) the landlord makes an oral request for an order of possession, and

(b) the director dismisses the tenant's application or upholds the landlord's notice.

Based on the Landlords' undisputed testimony, I am satisfied that the Tenant was personally served with the 2 Month Notice to End Tenancy on November 27, 2014. I find that the effective date of the end of the tenancy is January 31, 2015. Further to the provisions of Section 55(1) of the Act, I hereby provide the Landlords with an Order of Possession **effective 1:00 p.m., January 31, 2015.**

### **Conclusion**

The Tenant's application is **dismissed without leave to re-apply.**

I hereby provide the Landlords with an Order of Possession **effective 1:00 p.m., January 31, 2015.** This Order may be filed in the Supreme Court of British Columbia 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: January 07, 2015

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Residential Tenancy Branch

