



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

The applicant failed to contact the telephone bridge number at the scheduled start of the hearing. A representative of the respondent was present and ready to proceed. The telephone line conference line remained open and the phone system was monitored for ten minutes. The applicant failed to appear. I then proceed with the hearing.

I find that the one month Notice to End Tenancy was personally served on the Tenant on November 30, 2014. Further I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served on the landlord by mailing, by registered mail.

Issue(s) to be Decided

The issue to be decided is whether the tenant is entitled to an order cancelling the one month Notice to End Tenancy dated November 30, 2014?

Background and Evidence

The tenancy began on July 15, 2014. The tenancy agreement provided that the tenant(s) would pay rent of \$700 per month payable on the first day of each month. The tenant(s) paid a security deposit of \$350 on July 4, 2011.

Analysis

The tenant failed to appear at the hearing. The landlord testified the tenant permitted unauthorized occupants to stay in the rental unit threatening the security of the rental property. She also testified there have been a number of noise complaints that have unreasonably disturbed other residents in the rental property. The tenant was not

present at the hearing and failed to present sufficient evidence to dispute the landlord's evidence.

Determination and Orders

After carefully considering all of the evidence I determined that the landlord has established sufficient cause to end the tenancy. As a result I dismissed the tenant's application to cancel the Notice to End Tenancy. As the rent was paid for January I ordered that the tenancy shall end on January 31, 2015.

Order for Possession

The Residential Tenancy Act provides that where a landlord has made an oral request for an Order for Possession at a hearing where a dispute resolution officer has dismissed a tenant's application to set aside a Notice to End Tenancy, the dispute resolution officer must grant an Order for Possession. The landlord made this request at the hearing. As a result I granted the landlord an Order for Possession on January 31, 2015.

The tenant must be served with this Order as soon as possible. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement.

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 13, 2015

Residential Tenancy Branch

