



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Willow Point Realty  
and [tenant name suppressed to protect privacy]

## **DECISION**

### Dispute Codes:

CNR, MT

### Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Unpaid Rent and for more time to apply to set aside the Notice to End Tenancy.

### Issue(s) to be Decided

Should the Notice to End Tenancy for Unpaid Rent, served pursuant to section 46 of the *Residential Tenancy Act (Act)*, be set aside?

### Background and Evidence

The hearing was scheduled for 1:00 p.m. on February 04, 2015. When I dialed into the teleconference at 1:02 p.m. the Agent for the Landlord had already joined the teleconference. By the time the teleconference was terminated at 1:12 pm., the Tenant had not appeared.

Upon being advised that the Tenant's Application for Dispute Resolution would be dismissed, the Agent for the Landlord stated that rent for January had still not been paid and that the Landlord wanted an Order of Possession for the rental unit. She stated that the Ten Day Notice to End Tenancy that is the subject of this dispute declared that the Tenant must vacate the rental unit by January 20, 2015.

### Analysis

I find that the Tenant failed to diligently pursue the Application for Dispute Resolution and I therefore dismiss the Application without leave to reapply.

### Conclusion

As I have dismissed the Tenant's application to set aside the Notice to End Tenancy, I grant the Landlord an Order of Possession, as requested at the hearing, pursuant to

section 55(1) of the *Act*. The Order of Possession will be effective two days after it is served upon the Tenant.

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: February 04, 2015

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Residential Tenancy Branch

