



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 1012 MAIN STREET HOLDINGS LIMITED
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes cnc, opc

Introduction

The tenant applies for an order to cancel a one month Notice to End Tenancy.

The tenant failed to attend the hearing. At the hearing, the landlord applied for an Order of Possession.

Issue(s) to be decided

1. What is the effect of the tenant not attending this hearing?
2. Is the landlord entitled to an Order of Possession?

Background and Evidence

1. On January 19, 2015, the landlord served the tenant a one month Notice to End Tenancy, effective to end this tenancy February 28, 2015. On January 27, 2015, the tenant applied to have this notice cancelled. The tenant did not attend the hearing.
2. The landlord requested an Order of Possession at the hearing.

Analysis

In the absence of any submissions or testimony at the hearing from the tenant upon which to make a decision, and as the landlord attended, I have dismissed the tenant's application, with no liberty to reapply being granted.

Section 55(1) of the Residential Tenancy Act permits a landlord to apply verbally for an Order of Possession at this hearing. As the tenant's application is dismissed, the Notice to End the Tenancy remains effective to end this tenancy February 28, 2015. An Order of Possession is issued to the landlord, pursuant to section 55(1) of the Residential Tenancy Act.

Conclusion

The tenant's application is dismissed. The landlord is issued an order of possession,

effective February 28, 2015.

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 11, 2015

Residential Tenancy Branch

