



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Randall North Real Estate Services  
and [tenant name suppressed to protect privacy]

## **DECISION**

Codes: CNC, FF

### Introduction

The tenant has applied for an order pursuant to section 47(4) of the Residential Tenancy Act to set aside a Notice of End a Residential January 21, 2015 setting the end of tenancy for February 28, 2015. Only the landlord's agent MJ attended the teleconference hearing.

### Issue(s) to be Decided

Is the landlord entitled to an Order for Possession?

### Background and Evidence

MJ testified that eh Notice to End the tenancy was posted on the tenant's door on January 21, 2015. The tenant disputed the notice but failed to attend the hearing notwithstanding the elapse of 12 minutes. The landlord requested an Order for Possession.

### Analysis

Rule 10.1 of the Rules of Procedure provides:

#### *Commencement of the dispute resolution proceeding*

*The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.*

I have dismissed the tenant's application herein. I find that the Notice to End the Tenancy is valid. Section 55(1)(a) provides that the arbitrator must grant an Order of Possession of the rental unit if, the landlord makes an oral request for an Order of

Possession at a hearing where an arbitrator has dismissed the tenant's application pursuant to section 47 and has upheld the Notice. The landlord has made this request at the hearing. As a result I granted the landlord an Order for Possession effective on February 28, 2015.

### Conclusion

I have dismissed all of the tenant's applications without recovery of the filing fee. I granted the landlord an Order for Possession effective on February 28, 2015. The tenant must be served with this decision and 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: February 17, 2015

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Residential Tenancy Branch

