Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes:

CNC

Introduction

This Application for Dispute Resolution by the tenant was seeking to cancel a 1 Month Notice to End Tenancy for Cause dated December 31, 2014.

Only the landlord appeared at the hearing. The applicant tenant did not appear.

This application was set to be heard by conference call at 1:30 p.m. The notice of hearing issued to each party by the Residential Tenancy Branch, required each participant to join in the conference call at the time scheduled by making a phone call to the number provided and entering the participant code identified.

Only the respondent landlord called in to the conference call. The line was held open for 10 minutes, but the applicant failed to appear and the hearing ended at 1:45 p.m. without any testimony being given.

Analysis

As the tenant did not appear to present their case, the tenant's application is dismissed without leave to reapply.

At the hearing, the landlord made a request for an order of possession. Under the provisions of section 55(1)(a), upon the request of a landlord, I must issue an order of possession when I have upheld a Notice to End Tenancy.

I hereby issue an Order of Possession in favour of the landlord effective February 28, 2015, as requested by the landlord. This Order is final and binding and must be served on the Applicant tenant. It may be enforced by an application to the Supreme Court if necessary.

Conclusion

The applicant tenant did not attend and is not successful in the application. An Order of Possession based on the 1 month Notice is granted to the landlord at the landlord's request.

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 02, 2015

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Residential Tenancy Branch