



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Dalla Zanna Properties
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking an order of possession.

The hearing was conducted via teleconference and was attended by the respondent tenant.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for cause and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to Sections 47, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

While neither party provided a copy of a notice to end tenancy the tenant testified that the landlord issued a 1 Month Notice to End Tenancy for Cause on March 20, 2015 with an effective date of April 30, 2015.

The tenant further testified that the landlord had indicated as causes that there were an unreasonable number of occupants in the rental unit; that the tenant or a person permitted on the residential property by the tenant had significantly interfered with or unreasonably disturbed another occupant or the landlord, seriously jeopardized the health or safety or the lawful right or interest of the landlord or another occupant, put the landlord's property at significant risk; and the rental unit must be vacated to comply with a federal, British Columbia, regional or municipal government order

Analysis

In order to obtain an order possession the applicant landlord is required to attend this hearing and to provide evidence in support of their assertions of cause as outlined in the 1 Month Notice issued.

In the case before me, I find the landlord has provided no evidence and has failed to attend this hearing to present verbal testimony in regard to the Notice as described by the tenant.

Conclusion

In the absence of the applicant landlord, I dismiss this Application for Dispute Resolution in its entirety without leave to reapply. I find the tenancy shall remain in full force and effect.

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: May 27, 2015

Residential Tenancy Branch

