



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Mainstreet Equity Corp.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

CNC

Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause.

Issue(s) to be Decided

Should the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

Background and Evidence

The hearing was scheduled to commence at 9:00 a.m. on this date. The Landlord was represented at the scheduled start time but by the time the teleconference was terminated at 9:11 a.m. the Tenant had not appeared.

While we were waiting for the Tenant to appear, the Resident Manager requested an Order of Possession in the event the Tenant's Application for Dispute Resolution was dismissed. She stated that the Landlord wishes the Order of Possession to be effective May 31, 2015, as rent for May was paid by direct deposit.

Analysis

I find that the Tenant has failed to diligently pursue this Application for Dispute Resolution. I therefore dismiss the Tenant's Application for Dispute Resolution, without leave to reapply, and I grant the Landlord an Order of Possession, pursuant to section 55(1) of the *Act*.

Conclusion

I grant the Landlord an Order of Possession, as requested at the hearing, which is effective at 1:00 p.m. on May 31, 2015. This Order may be served on the Tenant, filed

with the Supreme Court of British Columbia, and enforced as an Order of that Court.

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 13, 2015

Residential Tenancy Branch