



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MNR, MNDC

Introduction

The applicant failed to appear at the scheduled time for the hearing. The respondent was present and ready to proceed. The telephone line conference line remained open and the phone system was monitored for ten minutes. The applicant failed to appear. I then proceeded with the hearing.

Issue(s) to be Decided:

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling the 10 day Notice to End Tenancy dated May 5, 2015?
- b. Whether the tenant is entitled to a monetary order and if so how much?

Background and Evidence

The tenancy began in the late summer of 2014. The rent was \$900 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit of \$450 at the start of the tenancy. The tenant has paid \$150 of the pet damage deposit (the landlord demanded \$450).

The tenant failed to pay the rent for May and June and the sum of \$1800 remains owing.

The tenant vacated the rental unit in early June 2015.

Analysis:

The tenant failed to appear at the hearing. **As a result I ordered that the tenant's application to cancel the Notice to End Tenancy and for a monetary order be dismissed without liberty to re-apply.**

Order for Possession:

The Residential Tenancy Act provides that where a landlord has made an oral request for an Order for Possession at a hearing where a dispute resolution officer has dismissed a tenant's application to set aside a Notice to End Tenancy, the dispute resolution officer must grant an Order for Possession. The landlord made this request at the hearing. As a result I granted the landlord an Order for Possession on 2 days notice.

The tenant must be served with this 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: June 22, 2015

Residential Tenancy Branch

