



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This was a hearing with respect to the tenant's application to cancel a 10 day Notice to End Tenancy for unpaid rent. The hearing was scheduled to be conducted by conference call. The landlord called in at the appointed time. The tenant did not attend although this was the hearing of his application.

Issue(s) to be Decided

Should the Notice to End Tenancy dated June 3, 2015 be cancelled?

Background and Evidence

The rental unit is a basement suite in Vancouver. The tenant was personally served with a 10 day Notice to End Tenancy for unpaid rent on June 3, 2015. The tenant applied to dispute the Notice to End Tenancy on June 8, 2015, but he did not attend the hearing of his application.

Analysis

The tenant had not appeared at the hearing of his application by 10:45 A.M. In the absence of an appearance by the applicant, I dismiss his application for dispute resolution without leave to reapply.

Section 55 of the *Residential Tenancy Act* provides as follows:

- 55** (1) If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant an order of possession of the rental unit to the landlord if, at the time scheduled for the hearing,

- (a) the landlord makes an oral request for an order of possession, and
- (b) the director dismisses the tenant's application or upholds the landlord's notice.

I have dismissed the tenant's application to dispute the landlord's Notice to End Tenancy. The landlord made an oral request for an order of possession at the hearing. Pursuant to section 55 I grant the landlord an order for possession effective two days after service upon the tenant. This order may be registered in the Supreme Court and enforced as an order of that court.

Conclusion

The application has been dismissed. The landlord has been granted an order for possession.

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: July 31, 2015

Residential Tenancy Branch

