



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNR

This hearing, which was set for 9:00 am on this date, was to deal with an application by the tenant for an order setting aside a 1 Month Notice to End Tenancy for Non-Payment of Rent. The landlord appeared at the hearing; the tenants did not. In the absence of an appearance by the applicants by 9:15 am, this application is dismissed.

Section 55(1) of the *Residential Tenancy Act* provides that if a tenant makes an application to set aside a landlord's notice to end a tenancy and the application is dismissed, the arbitrator must grant an order of possession of the rental unit to the landlord if, at the time scheduled for the hearing, the landlord makes an oral request for an order of possession.

The landlord did make an oral request for an order of possession. **The landlord is entitled to an order of possession effective two days after service on the tenant.** If necessary, this order may be filed in the Supreme Court and enforced as an order of that Court.

The landlord had filed an application for dispute resolution asking for an order of possession and a monetary order. That application has been set for November 3, 2015. That application will proceed on that date as scheduled on all claims except the request for an order of 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: September 23, 2015

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Residential Tenancy Branch

