



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing was convened as a result of the tenant's application for dispute resolution under the Residential Tenancy Act ("Act"). The tenant applied for an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities ("Notice") issued by the landlord.

The hearing began at the scheduled time and the telephone system remained open and was monitored for 11 minutes. During this time, the applicant/tenant did not dial into the telephone conference call hearing; however the landlord and landlord's agent were present and ready to proceed with the hearing. During the hearing, the landlord made an oral request for an order of possession for the rental unit, after submitting that the tenant has not paid rent for July, August, and September 2015.

Analysis and Conclusion

In the absence of the tenant to present her claim, pursuant to section 10.1 of the Dispute Resolution Rules of Procedure (Rules), I dismiss the tenant's application, without leave to reapply.

As I have dismissed the tenant's application for dispute resolution, under section 55(1) of the Act, I must grant the order of possession to the landlord due to their oral request during the hearing.

I therefore grant the landlord an order of possession for the rental unit effective 2 days after service on the tenant, as the effective end of tenancy date listed on the landlord's 10 Day Notice was July 15, 2015.

This final, legally binding order of possession is enclosed with the landlord's Decision and must be served upon the tenant to be enforceable.

Should the tenant fail to vacate the rental unit pursuant to the terms of the order after service on the tenant, this order may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court. The tenant is advised that costs of such enforcement are recoverable from the tenant.

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 16, 2015

Residential Tenancy Branch

