



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, MNDC

This hearing dealt with the Tenant's Application for Dispute Resolution, seeking to cancel a two month Notice to End Tenancy for the Landlord's use of the rental unit and to obtain a monetary order for loss or compensation under the Act.

However, the Applicant Tenant did not appear at the hearing.

An Agent for the Respondent Landlord along with the purchaser of the property appeared at the hearing and they were ready to proceed. They stated they gave the Tenant extra time to vacate under the Notice and the Tenant was currently in the process of moving out.

The hearing was conducted by telephone conference call and was to begin at 11:00 a.m. on this date. The line remained open while the phone system was monitored for ten minutes and the only participants who called into the hearing during this time were the Agent for the Respondent Landlord along with the purchaser of the property.

Therefore, as the Applicant Tenant did not attend the hearing by 11:00 a.m., I dismiss their Application to dispute the Notice to End Tenancy without leave to reapply. However, as the tenancy has not yet ended I dismiss the monetary claims of the Tenant with leave to reapply.

Following my dismissal of the Tenant's Application, the Agent for the Landlord requested an order of possession. Under section 55 of the Act, I must grant that request.

Therefore, I grant and issue an order of possession effective **at 1:00 p.m. on November 30, 2015**. This order must be served on the Tenant and may be enforced in the Supreme Court of British Columbia.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: November 23, 2015

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Residential Tenancy Branch

