



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC  
Introduction

The tenant applies to cancel a one month Notice to End Tenancy for cause dated October 2, 2015. The tenant did not attend the hearing within ten minutes after its scheduled start time.

The landlord attended and was ready to proceed. In these circumstances the tenant's application must be dismissed.

Section 55 of the *Residential Tenancy Act* (the "RTA") permits a landlord to make a verbal request for an order of possession when a tenant's challenge to an eviction Notice fails. That request was made at this hearing and so I grant the landlord an order of possession.

The Notice alleges that the tenancy ends on October 2, 2015. The earliest lawful date the Notice could become effective under s. 47 of the *RTA* would be November 30, 2015. By s. 53 of the *RTA* a Notice containing a defective effective date automatically corrects itself to the earliest lawful date.

I find that this tenancy will end November 30, 2015. The landlord will have an order of possession for then.

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: November 26, 2015

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Residential Tenancy Branch

