



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC, MT, O

Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause, for more time to apply to set aside a Notice to End Tenancy, and for "other".

The Landlord stated that she received the Application for Dispute Resolution and the Notice of Hearing via registered mail.

Issue(s) to be Decided

Should the Tenant be granted more time to cancel a Notice to End Tenancy and, if so, should the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

Background and Evidence

The Landlord stated that the One Month Notice to End Tenancy for Cause that is the subject of these proceedings was served to the Tenant on September 21, 2015. The Tenant submitted a copy of a One Month Notice to End Tenancy, dated September 21, 2015, with her Application for Dispute Resolution. This Notice declares that the Tenant must vacate the rental unit by October 24, 2015.

The hearing was scheduled to commence, via teleconference, at 10:30 a.m. on this date. The Landlord dialed into the teleconference at 10:31 a.m. By the time the teleconference was terminated at 10:42 a.m. the Tenant had not appeared.

At the hearing the Landlord asked for an Order of Possession.

Analysis

I find that the Tenant failed to diligently pursue the Application for Dispute Resolution and I therefore dismiss the Application without leave to reapply.

As the Application for Dispute Resolution has been dismissed and the Landlord requested an Order of Possession at the hearing, I find that the Landlord is entitled to an Order of Possession pursuant to section 50(1) of the *Act*.

Conclusion

I grant the Landlord an Order of Possession, as requested at the hearing that will be effective two days after it is served upon 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: December 03, 2015

Residential Tenancy Branch

