



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Custom Realty Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MT, CNC, OPT, FF

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order allowing more time to dispute a notice to end tenancy – Section 66
2. An Order cancelling a notice to end tenancy – Section 47;
3. An Order for possession – Section 54; and
4. An Order to recover the filing fee for this application - Section 72.

This matter was set for a conference call hearing at 9:00 a.m. on this date. The line remained open while the phone system was monitored for ten minutes. The only participant who called into the hearing during this time was the Landlord. The Tenant failed to attend to present its claim. The Landlord appeared and was ready to proceed. In the absence of the Party who made the application, I dismissed this claim without leave to reapply.

The Landlord stated that the Tenant paid the rent for December 2015 and requested an order of possession effective December 31, 2015.

Section 55 of the Act provides that if a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant an order of possession of the rental unit to the landlord if, at the time scheduled for the hearing,

- (a) the landlord makes an oral request for an order of possession, and

(b) the director dismisses the tenant's application or upholds the landlord's notice.

As the Tenant's application has been dismissed and considering that the Landlord orally sought an order of possession I find that the Landlord is entitled to an order of possession. I therefore grant an Order of Possession to the Landlord effective 1:00 p.m. on December 31, 2015.

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 07, 2015

Residential Tenancy Branch

