



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNC

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 the notice to end tenancy – Section 66; and
2. An Order cancelling the notice to end tenancy – Section 47.

The Landlord appeared prepared to proceed with the dispute. The Tenant did not appear after waiting for 10 minutes past the scheduled hearing time of 10:30 a.m. As the Tenant did not attend the hearing to pursue its claims I dismissed the Tenant’s application.

The one month notice to end tenancy for cause (the “Notice”), provided by the Tenant as evidence with its application, is on a Residential Tenancy Branch form, is signed and dated, sets out the address of the rental unit, states the effective date as November 30, 2015, and sets the reason for the notice. The Tenant has paid the rent for January 2016.

Section 55(1) provides that if a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, an order of possession must be granted to the landlord if, the notice to end tenancy complies in form and content and the tenant's application is dismissed or the landlord's notice is upheld. Given the correct form and content of the Notice and the dismissal of the Tenant’s application I find that the

Landlord is entitled to an order of possession. As the full rent has been paid for January 2016 I make the order of possession effective 1:00 p.m. on January 31, 2016.

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: January 21, 2016

Residential Tenancy Branch

