



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Garden Construction Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, MNDC, ERP, LRE

This hearing was convened to address a claim by the tenant for an order setting aside a notice to end this tenancy, a monetary order, an order compelling the landlord to perform repairs and an order restricting the landlord's right to access the rental unit. The respondent landlord participated in the conference call hearing but the tenant did not participate despite the conference call having been open for 10 minutes to give her opportunity.

As the tenant did not participate in the hearing to advance her claim and as the landlord was ready to proceed, I dismiss the tenant's claims without leave to reapply.

During the hearing the landlord made a request under section 55 of the legislation for an order of possession effective on January 31, 2016. Under the provisions of section 55, upon the request of a landlord, I must issue an order of possession when I have upheld a notice to end tenancy. Accordingly, I so order. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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 04, 2016

---

Residential Tenancy Branch

