



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

This hearing was set to deal with an application by the tenant for an order setting aside a 1 Month Notice to End Tenancy for Cause.

The hearing was originally set for 9:00 am on March 16, 2016. For the reasons set out in the Interim Decision dated March 16, 2016, I adjourned the hearing to March 22, 2016 at 1:00 pm. Both parties acknowledged that this was a date and time convenient for them. I advised the parties that the telephone number and participant code for the adjourned hearing would be the same as they had used on March 16, 2016.

I also asked the parties where the Notice of Adjourned Hearing should be sent. The tenant advised that his mailbox was broken so he would like his copy faxed to the Service BC Office in Nanaimo for pick-up. The landlord provided a mailing address. The tenant's copy was faxed to the Service BC Office in accordance with the tenant's request.

On March 22 the landlord appeared; the tenant did not. I kept the hearing open until 1:15 pm. When the tenant did not appear, I dismissed his application.

Section 55(1) of the *Residential Tenancy Act* provides that if a tenant makes an application to set aside a landlord's notice to end a tenancy and the application is dismissed or the notice to end tenancy is upheld, the arbitrator must grant an order of possession of the rental unit to the landlord. As the tenant has paid the rent to the end of March the effective date of the order of possession will be **1:00 pm, March 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: March 22, 2016

Residential Tenancy Branch

