



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

The tenant applied for dispute resolution of a dispute in the tenancy at the above address and requested an order to set aside a Notice of End a Residential Tenancy for Non-Payment of Rent dated March 6, 2016 and setting the end of tenancy for March 21, 2016. Only the landlord and the landlord's agent attended the tele-conference hearing which lasted 11 minutes.

Issue(s) to be Decided

Is the landlord entitled to an Order for Possession?

Background and Evidence

Based on the evidence of the landlord I find that the Notice to End the Tenancy was served on the tenant by handing it to him on March 6, 2016.

The tenant disputed the Notice by making this application but failed to attend the hearing which lasted eleven minutes. Accordingly I dismissed the tenant's application application. I confirmed the Notice. The landlord testified that the tenancy began on August 1, 2015 with rent amounting to \$ 1,400.00 per month. The tenant paid a security deposit of \$ 700.00 on September 17, 2015.

The landlord testified that that the tenant had not paid any rent from March through April 2016 and requested an Order for Possession.

Analysis

I accept the landlord's undisputed testimony that the tenant has not paid all the outstanding rent in the time permitted by the Notice. The tenant has applied for arbitration to dispute the Notice but failed to attend the hearing. I have dismissed the tenant's application. I have confirmed the Notice to End the Tenancy. Section 55(1) of the Act provides as follows:

- 55** (1) If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant to the landlord an order of possession of the rental unit if
- (a) the landlord's notice to end tenancy complies with section 52 [*form and content of notice to end tenancy*], and
 - (b) the director, during the dispute resolution proceeding, dismisses the tenant's application or upholds the landlord's notice.

Accordingly I find that the landlord is entitled to an order for possession effective two days after service on the tenant.

Conclusion:

I have granted the landlord an Order for Possession effective two days after service on the tenant. This order may be filed in the Supreme Court and enforced as an Order of that Court. I have dismissed the tenant's application herein. There will not be any recovery of the filing fee.

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: April 19, 2016

Residential Tenancy Branch