



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, received at the Residential Tenancy Branch on June 3, 2016 (the "Application").

The Tenant has applied for an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, dated June 2, 2016 (the "10 Day Notice").

The Landlord was represented at the hearing by R.N., who provided his solemn affirmation. The Tenant did not attend the hearing.

This matter was set for hearing by telephone conference call at 1:30 P.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 Respondent. Therefore, as the Applicant did not attend the hearing by 1:40 P.M, and the Respondent appeared and was ready to proceed, I dismiss the Tenant's claim without leave to reapply.

Pursuant to section 55 of the *Act*, I am required to issue an order of possession in favour of the landlord when a tenant's application to cancel a notice to end tenancy is dismissed, and the notice complies with section 52 of the *Act*.

On review of the 10 Day Notice issued by the Landlord, I find it complies with section 52 of the *Act*. Accordingly, I grant an order of possession to the Landlord. The order of possession will be effective immediately upon service on the Tenant.

Conclusion

The Tenants' application is dismissed, without leave to reapply, and the 10 Day Notice is upheld.

I grant the Landlord an order of possession, which will be effective immediately upon service on the Tenant. Should the Tenant fail to comply with the Order, it may be filed in and enforced as an Order of the Supreme Court of British Columbia.

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: June 20, 2016

Residential Tenancy Branch