



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding NPR LIMITED PARTNERSHIP
and (tenant name suppressed to protect privacy]

DECISION

Dispute Codes

CNC

Introduction

On April 1, 2016, the Tenant made an Application for Dispute Resolution to cancel a 1 Month Notice to End Tenancy for Cause ("the Notice") dated March 30, 2016.

The matter was set for a conference call hearing at 10:30 a.m. on this date. The Landlord attended the hearing; however, the Tenant did not.

The Landlord was provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions at the hearing.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Preliminary Issues

The Landlord testified that it appears the Tenant has abandoned the rental unit.

Records at this office indicate that on May 25, 2016, the Residential Tenancy Branch called the Tenant by telephone and informed him of the time and date of this hearing. Comments on file indicate that the Tenant stated he will be vacating the rental unit at the end of the month and that he will not be calling in to the hearing.

Issue to be Decided

Is the Landlord entitled to an order of possession?

Background and Evidence

The Landlord testified that the tenancy began on June 1, 2015, for a fixed term until May 31, 2016. The Tenant is required to move out at the end of the fixed term tenancy. Rent in the

amount of \$661.38 per month is to be paid by the Tenant on the first day of each month. The Tenant paid a security deposit in the amount of \$307.50 to the Landlord.

The Landlord testified that the Notice was served on the Tenant on March 30, 2016, by handing it to him directly. The Notice states that the Tenant must move out of the rental unit by April 30, 2016.

The Tenant disputed the Notice but did not appear at the hearing.

Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

The Tenant was informed of the date and time of the hearing and did not appear. I dismiss the Tenant's application to cancel the Notice dated March 30, 2016.

Under section 55 of the Act, when a Tenants application to cancel a Notice to end tenancy is dismissed and I am satisfied that the Notice to end tenancy complies with the requirements under section 52 regarding form and content, I must grant the Landlord an order of possession.

I find that the Notice complies with the requirements for form and content and I find that the Landlord is entitled to an order of possession effective 2 (two) days, after service on the Tenant. This order may be filed in the Supreme Court and enforced as an order of that Court.

Conclusion

The Tenant's application is dismissed. The Landlord is granted an order of possession effective two (2) days after service on the Tenant.

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 13, 2016

Residential Tenancy Branch