



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Mission & District Citizens Housing Association  
and [tenant name suppressed to protect privacy]

## **DECISION**

### Dispute Codes:

CNC, MT

### Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause and for more time to file this Application.

### Issue(s) to be Decided

Should the Tenant be granted more time to apply to cancel a Notice to End Tenancy and, if so, should the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

### Background and Evidence

The hearing was scheduled for 10:30 a.m. on this date. The Landlord joined the teleconference at 10:28 a.m. hearing; the hearing commenced at 10:31 a.m.; and by the time the teleconference was terminated at 10:43 a.m. the Tenant or a representative for the Tenant has not appeared.

The Tenant had submitted a copy of a One Month Notice to End Tenancy for Cause, dated May 03, 2016, which declared the Tenant must vacate the unit by July 01, 2016. The Agent for the Landlord stated that this Notice was personally served to the Tenant by a third party on May 03, 2016.

### Analysis

I find that the Tenant failed to diligently pursue the Application for Dispute Resolution and I therefore dismiss the application to cancel the One Month Notice to End Tenancy, without leave to reapply.

The Notice to End Tenancy that was submitted to the Residential Tenancy Branch by the Tenant appears to comply with section 52 of the *Act*. As I have dismissed the Tenant's application to cancel this Notice to End Tenancy, I must grant the Landlord an

Order of Possession pursuant to section 55(1) of the *Act*.

Conclusion

I grant the Landlord an Order of Possession that is effective two days after it is served upon the Tenant. This Order may be served on the Tenant, filed with 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: July 29, 2016

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Residential Tenancy Branch