



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CRAFT PROPERTIES LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC

### Introduction and Preliminary Matter

This hearing convened as a result of a Tenant's Application for Dispute Resolution filed July 22, 2016 wherein the Tenant sought an Order cancelling a 1 Month Notice to End Tenancy for Cause issued on July 12, 2016. In the details of dispute section the Tenant writes that the Notice was issued for repeated late payment of rent. The Notice was not provided in evidence; however, the Landlord's representative, A.Y. confirmed the first notice was issued on July 12, 2016.

Also introduced in evidence by the Landlord was a copy of a 1 Month Notice to End Tenancy for Cause issued on July 28, 2016. The Tenant filed an Amendment to an Application for Dispute Resolution on August 5, 2016 wherein he writes "I was given another 1 month notice to end tenancy, the third one in a month!" The Tenant does not identify the date of these subsequent Notices. A.Y. confirmed the Amendment relates to the July 28, 2016 Notice which was provided in evidence.

This matter was set for hearing by telephone conference call at 9:00 a.m. on this date. The line remained open while the phone system was monitored for twelve minutes and only the Respondent Landlord's representatives called into the hearing.

### Analysis and Conclusion

Rules 7.1 and 7.3 f the *Residential Tenancy Branch Rules of Procedure* provide as follows:

#### **Commencement of Hearing:**

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

### **Consequences of not attending the hearing**

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

As the Applicant Tenant did not attend the hearing by 9:10 a.m., and the Respondent Landlord appeared and was ready to proceed, I dismiss the Tenant's claim without leave to reapply.

I find that the July 28, 2016 Notice complies with section 52 of the *Residential Tenancy Act* therefore, pursuant to section 55 of the *Act*, I grant and issue an Order of Possession effective **two days** after service upon the Tenant. This Order must be served on the Tenant and may be enforced in the Supreme Court of British Columbia.

This decision is final and binding on the parties, except as otherwise provided under the *Act*, and 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: September 12, 2016

---

**Residential Tenancy Branch**