



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR CNL

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution (the "Application"), seeking to cancel a 10 day Notice to End Tenancy for Unpaid Rent or Utilities dated July 15, 2016 (the "10 Day Notice"), and to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property dated June 24, 2016 (the "2 Month Notice").

The landlord and a support person for the landlord attended the hearing which was held by at the Victoria Residential Tenancy Branch office. The applicant tenant did not attend the hearing. After a 19 minute waiting period and as the applicant tenant did not attend the hearing, the tenant's application was **dismissed without leave to reapply**.

Following my dismissal of the tenant's application, the landlords confirmed that the tenant continues to occupy the rental unit. Pursuant to section 55 of the Act, I must grant the landlord an order of possession as long as the notice to end tenancy complies with section 52 of the Act. I have reviewed the 10 Day Notice and I find that it complies with section 52 of the Act. Therefore, as the effective vacancy date of the 10 Day Notice has already passed, **I grant** the landlord an order of possession effective **two (2) days** after service upon the tenant.

I do not find it necessary to consider the 2 Month Notice further as the 10 Day Notice complies with the Act.

Conclusion

The tenant's application has been dismissed without leave to reapply.

The landlord has been granted an order of possession effective two (2) days after service upon the tenant. The order of possession 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 9, 2016

Residential Tenancy Branch