



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Duncan Kiwanis Village Society  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MT, CNC

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order allowing more time to dispute a notice to end tenancy - Section 66;
2. An Order cancelling a note to end tenancy - Section 47.

The matter was set for a conference call hearing at 10:30 a.m. on this date. The line remained open while the phone system was monitored for ten minutes. The only participants who called into the hearing during this time were the Landlords who were ready to proceed on the notice to end tenancy for cause (the “Notice”). The Tenant failed to attend to present its claim. I therefore dismiss the Tenant’s application. The Landlord confirmed that the Tenant paid rent for November 2016 at which time the Landlord indicated to the Tenant that the monies were taken for “use and occupancy only”.

Section 55(1) provides that if a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, an order of possession must be granted to the landlord if, the notice to end tenancy complies in form and content and the tenant's application is dismissed. Section 52 of the Act provides that a notice to end tenancy from a landlord must be in writing and must be signed and dated by the landlord, give the address of the rental unit, state the effective date of the notice, state the grounds for ending the tenancy, and be in the approved form.

As the Notice complies in form and content and as the Tenant's application has been dismissed I find that the Landlord is entitled to an order of possession. I therefore grant an Order of Possession to the Landlord effective 1:00 p.m. on November 30, 2016.

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: November 15, 2016

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Residential Tenancy Branch