



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL MNDC AAT RR FF

This hearing was convened pursuant to the tenant's application to cancel a notice to end tenancy for landlord's use, as well as for other orders.

This matter was set for hearing by telephone conference call at 11:00 a.m. on this date. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the respondent landlord. Therefore, as the applicant tenant did not attend the hearing by 11:10 a.m., and the respondent landlord appeared and was ready to proceed, I dismiss the claim without leave to reapply.

I am satisfied that the notice to end tenancy for landlord's use dated August 31, 2016 meets the requirements regarding form and content as set out in section 52 of the Act. The landlord stated that he has a new tenant lined up as caretaker for the residential property.

Under section 55 of the Act, when a tenant's 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 order of possession. Accordingly, I grant the landlord an order of possession effective two days after service. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in 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: November 8, 2016

Residential Tenancy Branch