



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNL, FF

Introduction

This hearing was scheduled to convene at 1:30 p.m. this date by way of conference call concerning an application made by the tenant seeking more time than prescribed to dispute a notice to end the tenancy, for an order cancelling a notice to end the tenancy for landlord's use of property, and to recover the filing fee from the landlord for the cost of the application.

The landlord attended the hearing with an agent, however, the line remained open while the phone system was monitored for in excess of 10 minutes and no one for the tenant joined the call. Therefore, I dismiss the tenant's application without leave to reapply.

The *Residential Tenancy Act* states that where I dismiss a tenant's application to cancel a notice to end a tenancy given by a landlord, I must grant an Order of Possession in favour of the landlord, so long as the notice given is in the approved form. I have reviewed the 2 Month Notice to End Tenancy for Landlord's Use of Property which has been provided as evidence by the tenant, and I find that it is in the approved form and contains information required by the *Act*. It is dated September 22, 2016 and contains an effective date of vacancy of November 22, 2016.

Having dismissed the tenant's application, I grant an Order of Possession in favour of the landlord effective at 1:00 p.m. that date.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed in its entirety without leave to reapply.

I hereby grant an Order of Possession in favour of the landlord effective November 22, 2016 at 1:00 p.m.

This order is final and binding and may be enforced.

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 18, 2016

Residential Tenancy Branch