



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      DRI, CNR, OPT, AAT, MNDC

This is an application brought by the tenant(s) requesting an order canceling a Notice to End Tenancy, and requesting an order of possession, disputing an additional rent increase, and requesting a monetary order.

No hearing was held however because, even though I waited until well past the time at which the hearing was to start, no one joined the conference call that was set up for the hearing.

Section 55 of the Residential Tenancy Act states:

**55** (1) If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant to the landlord an order of possession of the rental unit if

(a) the landlord's notice to end tenancy complies with section 52 [*form and content of notice to end tenancy*], and

(b) the director, during the dispute resolution proceeding, dismisses the tenant's application or upholds the landlord's notice.

In this case however, I have examined the Notice to End Tenancy and it is my finding that it does not comply with section 52 of the Act as it has not been dated and does not give the address of the rental unit. I therefore will not be issuing an Order of Possession to the landlord.

Conclusion

I dismiss this application with leave to re-apply.

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 22, 2016

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Residential Tenancy Branch