



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CREATIVE CENTRE SOCIETY FOR MENTAL WELLNESS
CHILLIWACK COMMUNITY SERVICES
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MT, CNC

This hearing, reconvened from a hearing of January 16, 2017, dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "*Act*") for cancellation of the landlords' 1 Month Notice to End Tenancy for Cause (the "1 Month Notice") pursuant to section 47 and an extension of time to make an application pursuant to section 66.

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

Section 55(1) of the *Act* reads in part as follows:

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..., and

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

As I have dismissed the tenant's application and after receiving and reviewing the 1 Month Notice am satisfied that the landlords' 1 Month Notice complies with the form and content requirements of section 52 of the *Act*, I issue a formal Order of Possession in the landlords' favour pursuant to section 55. As the effective date of the 1 Month Notice has passed, I issue a 2 day Order of Possession.

Conclusion

I grant an Order of Possession to the landlords effective **2 days after service on the tenant**. Should the tenant or any occupant on the premises fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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: February 16, 2017

Residential Tenancy Branch