



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

matter regarding HOMELIFE PENINSULA PROPERTY MANAGEMENT
and [tenant name suppressed to protect privacy]

DECISION

Dispute Code CNC

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, received at the Residential Tenancy Branch on February 1, 2017 (the "Application"). The Tenant applied for an order cancelling a 1 Month Notice to End Tenancy for Cause (the "1 Month Notice"), pursuant to the *Residential Tenancy Act* (the "Act").

This matter was set for hearing by telephone conference call at 9:00 A.M. (Pacific Time) on March 2, 2017. 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. Therefore, as the Applicant did not attend the hearing by 9:10 A.M., and the Respondent appeared and was ready to proceed, I dismiss the claim without leave to reapply.

When a tenant's application to cancel a notice to end tenancy is dismissed and the notice complies with section 52 of the *Act*, section 55 of the *Act* requires that I grant an order of possession to a landlord. A copy of the 1 Month Notice was submitted with the Landlord's documentary evidence. On review, I find the 1 Month Notice complies with section 52 of the *Act*. Accordingly, pursuant to section 55 of the *Act*, I grant the Landlord an order of possession, which will be effective **two (2) days** after service on the Tenant.

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: March 2, 2017

Residential Tenancy Branch