



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding MEICOR PROPERTY MANAGEMENT  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, MT

### Introduction

This hearing dealt with a tenant's Application for Dispute Resolution (the "Application") under the Residential Tenancy Act (the "*Act*") for:

- more time to make an application for cancellation of the landlord's One Month Notice To End Tenancy for Cause (the "One Month Notice"); and
- cancellation of the landlord's One Month Notice.

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. Therefore, as the Applicant did not attend the hearing by 11:10 A.M, and the Respondent appeared and was ready to proceed, I dismiss the claim without leave to reapply.

### Preliminary and Procedural Matters

The landlord confirmed that her last name is misspelled on the tenant's application. The landlord provided the correct spelling of her last name which is shown in the style of cause. I therefore amend the tenant's application pursuant to section 64(3) of the *Act* to reflect the correct spelling of the landlord's last name.

### Analysis

When a tenant's application to dispute a landlord's notice to end a tenancy is dismissed, s. 55 of the *Act* requires me to grant an order of possession if the landlord's notice to end a tenancy complies with section 52 of the *Act*.

Based on the above and the evidence before me, I find that the One Month Notice complies with s.52 of the *Act* and it is valid. As a result, I find the landlord is entitled to an order of possession.

The landlord indicated that the tenant has paid for use and occupancy only for the month of April 2017. Therefore, the landlord requested that the order of possession take effect on April 30, 2017.

Pursuant to section 55 of the *Act*, I grant the landlord an order of possession effective April 30, 2017 at 1:00 p.m.

### Conclusion

The tenant's application is dismissed.

The landlord has been granted an Order of Possession effective **April 30, 2017 at 1:00 p.m.** which must be served on the tenant. Should the landlord require enforcement, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: April 05, 2017

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Residential Tenancy Branch