



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OPC, O

Introduction

This decision deals with two applications for dispute resolution, one brought by the tenant, and one brought by the landlord. Both files were to be heard together; however the tenant did not join the conference call that was scheduled for the hearing and therefore the tenants application will be dismissed without leave to reapply.

A substantial amount of documentary evidence, and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all relevant submissions.

All testimony was taken under affirmation.

Issue(s) to be Decided

The tenants application was a request to cancel a Notice to End Tenancy, however since the tenant did not appear for today's hearing it is my decision, pursuant to section 62 of the Residential Tenancy Act, the tenants application is dismissed without leave to reapply.

The landlord's application is a request for an Order of Possession based on a Notice to End Tenancy that was given for cause.

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 I have examined the Notice to End Tenancy and it is my finding that it does comply with section 52 of the Act.

Conclusion.

As stated above, the tenant's application has been dismissed without leave to re-apply, and, therefore, having determined that the landlord's notice to end tenancy complies with section 52 of the Act, I have I have allowed the landlords request for an Order of Possession, pursuant to Section 55 of the Act, enforceable 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: June 19, 2017

Residential Tenancy Branch