



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC, PSF, RP, and O

Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to cancel a Notice to End Tenancy for Cause, for an Order requiring the Landlord to make repairs to the rental unit; for an Order requiring the Landlord to provide services, and for "other".

Issues

Should a Notice to End Tenancy be set aside?
Is there a need to issue an Order requiring the Landlord to make repairs to the rental unit or to provide services?

Background and Evidence

The hearing was scheduled for 9:00 a.m. on this date. The Landlord was present at the start of the teleconference but by the time the teleconference was terminated at 9:11 a.m. the Tenant had not appeared.

The Tenant submitted a copy of a One Month Notice to End Tenancy for Cause, dated April 27, 2016. The Landlord stated that this Notice was personally served to the Tenant on April 27, 2017.

Analysis

I find that the Tenant failed to diligently pursue the application and I therefore dismiss his application without leave to reapply.

Section 55(1) of the *Residential Tenancy Act (Act)* stipulates that 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 the landlord's notice to end tenancy complies with section 52 and the director, during the dispute resolution proceeding, dismisses the tenant's application or upholds the landlord's notice.

On the basis of the Notice to End Tenancy that was submitted in evidence, I find that the Notice to End Tenancy that is the subject of this dispute complies with section 52 of the *Act*.

As the Notice to End Tenancy complies with section 52 of the *Act* and I have dismissed the Tenant's application to set aside this Notice, I find that the Landlord is entitled to an Order of Possession for the rental unit, pursuant to section 55(1) of the *Act*.

Conclusion

The Tenant's Application for Dispute Resolution is dismissed, without leave to reapply.

I grant the Landlord an Order of Possession, pursuant to section 55(1) of the *Act*, which is effective two days after it is served upon the Tenant. This Order may be served on the Tenant, filed with the Supreme Court of British Columbia, and enforced as an Order of that Court.

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: July 04, 2017

Residential Tenancy Branch