



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, AS

Introduction

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. An order to cancel the 10 day Notice to End Tenancy dated June 8, 2017
- b. An order allowing a tenant to assign or sublet because the landlord's permission has been unreasonably withheld

The applicant failed to contact the telephone bridge number at the scheduled start of the hearing. The respondent was present and ready to proceed. The telephone line conference line remained open and the phone system was monitored for ten minutes. The applicant failed to appear. I then proceeded with the hearing in the absence of the applicant.

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling the 10 day Notice to End Tenancy dated June 8, 2017?
- c. Whether the tenant is entitled an order allowing a tenant to assign or sublet because the landlord's permission has been unreasonably withheld?

Background and Evidence

The tenancy began on March 7, 2017. The tenancy agreement provided that the tenant(s) would pay rent of \$680 plus \$50 storage per month. In addition the tenancy agreement provided for a \$25 late fee. The tenant(s) paid a security deposit of \$340 at the start of the tenancy.

The landlord testified the tenant has failed to pay the rent when due and the sum of \$2972 remains outstanding.

Analysis:

After carefully considering all of the evidence I determined that the landlord has established sufficient cause to end the tenancy. There more than 3 months of outstanding rent. The landlord has used the approved government form for ending the tenancy. As a result I dismissed the tenant's application to cancel the Notice to End Tenancy dated June 8, 2017. I order that the tenancy shall end on the date set out in the Notice. The tenant's application for an order allowing him to assign or sublet is also dismissed as the tenancy is coming to an end.

Order for Possession:

The Residential Tenancy Act provides that where an arbitrator has dismissed a tenant's application to cancel a Notice to End Tenancy, the arbitrator must grant an Order for Possession. As a result I granted the landlord an Order for Possession on 2 days notice.

The tenant must be served with this Order as soon as possible. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement.

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: August 11, 2017

Residential Tenancy Branch