



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SPRINGBANK HOLSTEINS
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, FF

Introduction

On July 1, 2017, the Tenant submitted an Application for Dispute Resolution to cancel a 1 Month Notice To End Tenancy For Cause, and to recover the cost of the filing fee.

The hearing was scheduled as a teleconference hearing. The Landlord appeared at the hearing; however, the Tenant did not. The Landlord was provided the opportunity to present her evidence orally and in written and documentary form, and make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Preliminary and Procedural Matters

There is no documentary evidence from either party before me. I gave the Landlord permission to provide a copy of the 1 Month Notice To End Tenancy For Cause that was issued to the Tenant. The Landlord provided a copy of the 1 Month Notice to the Residential Tenancy Branch after the hearing.

Issues to be Decided

- Is the Landlord entitled to an order of possession?

Background and Evidence

The Landlord issued the Tenant a 1 Month Notice To End Tenancy For Cause dated June 17, 2017.

The Notice provides information for Tenants who receive the Notice. The Notice states that a Tenant has the right to dispute the Notice within 10 days after receiving it by filing an Application for Dispute Resolution at the Residential Tenancy Branch.

The Tenant applied for Dispute Resolution to dispute the 1 Month Notice but did not appear at the hearing.

The Landlord requested an order of possession for the rental property.

Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

The Tenant applied for Dispute Resolution to cancel a 1 Month Notice to End Tenancy but failed to attend the hearing. Therefore, I dismiss the Tenant's Application to cancel the 1 Month Notice To End Tenancy For Cause dated June 17, 2017.

Under section 55 of the Act, when a Tenants application to cancel a Notice to end tenancy is dismissed and I am satisfied that the Notice to end tenancy complies with the requirements under section 52 regarding form and content, I must grant the Landlord an order of possession.

I find that the 1 Month Notice issued by the Landlord meets the requirements for form and content.

I find that the Landlord is entitled to an order of possession effective September 30, 2017, after service on the Tenant. This order may be filed in the Supreme Court and enforced as an order of that Court.

Conclusion

The Tenant failed to attend the hearing. The Tenant's application to cancel the 1 Month Notice is dismissed. The Landlord is granted an order of possession.

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: September 14, 2017

Residential Tenancy Branch