Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   CNC

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, received at the Residential Tenancy Branch on June 28, 2017 (the "Application"). The Tenant applied for an order cancelling a One Month Notice to End Tenancy for Cause, dated June 26, 2017 (the "One Month Notice"), pursuant to the *Residential Tenancy Act* (the "*Act*").

This matter was set for hearing by telephone conference call at 11:00 A.M. (Pacific Time) on September 7, 2017. The line remained open while the phone system was monitored for ten minutes. D.D. called into the hearing and confirmed she was not authorized to act as the Tenant's agent. The Tenant did not attend the hearing. The Landlord attended the hearing at the appointed time. Therefore, as the Tenant did not attend the hearing by 11:10 A.M., and the Landlord appeared and was ready to proceed, I dismiss the Application without leave to reapply.

When a tenant's application to cancel a notice to end tenancy is dismissed, and the notice complies with section 52 of the *Act*, section 55 of the *Act* requires that I issue an order of possession in favour of the landlord. Having reviewed the One Month Notice submitted into evidence by the Tenant, I find it complies with section 52 of the *Act*. Accordingly, pursuant to section 55 of the *Act*, I grant the Landlord an order of possession, which will be effective two (2) days after service on the Tenant.

Conclusion

The Application is dismissed. Pursuant to section 55 of the *Act*, the Landlord is granted an order of possession, which will be effective two (2) days after service on the Tenant. The order of possession may be filed in and enforced as an order of the Supreme Court of British Columbia.

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 7, 2017

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Residential Tenancy Branch