



# Dispute Resolution Services

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## Residential Tenancy Branch Office of Housing and Construction Standards

A matter regarding ROYAL PROVIDENCE MANAGEMENT and ELWELL HOLDINGS LTD  
and [tenant name suppressed to protect privacy]

### **DECISION**

#### Dispute Codes CNR

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, dated August 9, 2017 (the "Application"). The Tenant applied for an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, dated August 4, 2017 (the "10 Day 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 October 30, 2017. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Respondents' agent, C.L. During the hearing, C.L. confirmed that the corporation indicated on the 10 Day Notice is the Landlord. Accordingly, pursuant to section 64(3) of the *Act*, I amend the Application to include the name of the corporate Landlord as it appeared on the 10 Day Notice. In any event, as the Applicant did not attend the hearing by 11:10 A.M., and the Respondent appeared and was ready to proceed, I dismiss the claim 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 grant an order of possession to a landlord. Having reviewed the 10 Day Notice, a copy of which was submitted into evidence, I find it complied with section 52 of the *Act*. Accordingly, I find the Landlord is entitled to an order of possession, which will be effective two (2) days after it is served 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: October 30, 2017

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Residential Tenancy Branch