



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BC HOUSING CMHA PA BRANCH
and [tenant name suppressed to protect privacy]

DECISION

Dispute Code CNC

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, received at the Residential Tenancy Branch on October 17, 2017. The Tenant applied for an order cancelling a One Month Notice to End Tenancy for Cause, dated October 5, 2017 (the "One Month Notice"), pursuant to the *Residential Tenancy Act* (the "Act").

This matter was set for hearing by telephone conference call at 9:00 A.M. (Pacific Time) on January 3, 2018. The line remained open while the phone system was monitored for twelve minutes and the only participant who called into the hearing during this time was the Respondent's agent. Therefore, as the Applicant did not attend the hearing by 9:12 A.M, and the Respondent's agent 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 One Month Notice, submitted into evidence by the Tenant, 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: January 3, 2018

Residential Tenancy Branch