



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 1077772 BC Ltd
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes **CNC & ERP**

Introduction

This is an application brought by the tenant requesting an order canceling a Notice to End Tenancy that was given for cause, and requesting that the landlord make emergency repairs.

No hearing was held however, because even though I waited until well past the time at which the hearing was to start, the applicant did not join the conference call that was set up for the hearing. I have therefore dismissed this application, pursuant to section 62 of the Residential Tenancy Act.

Further, Section 55 of the Residential Tenancy Act states:

55 (1) If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant to the landlord an Order of Possession of the rental unit if

(a) the landlord's notice to end tenancy complies with section 52 *[form and content of notice to end tenancy]*, and

(b) the director, during the dispute resolution proceeding, dismisses the tenant's application or upholds the landlord's notice.

In this case I have examined the Notice to End Tenancy and it is my finding that it does comply with section 52 of the Act, and therefore the landlord does have the right to an Order of Possession.

Conclusion

I therefore dismiss this application without leave to re-apply, and having determined that the landlord's notice to end tenancy complies with section 52 of the Act, I have issued an Order of possession, pursuant to Section 55 of the Act, enforceable 2 days after service on the tenant.

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: March 01, 2018

Residential Tenancy Branch