



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding SIDDOO A.K. INVESTMENTS LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC FFT

### Introduction

This hearing was scheduled to convene at 11:00 a.m. this date by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for cause and to recover the filing fee from the landlord for the cost of the application.

An agent for the landlord attended the hearing accompanied by a resident caretaker. However, despite making a claim, the line remained open while the phone system was monitored for in excess of 10 minutes and no one for the tenant joined the call. The landlord attended and was prepared to respond to the tenant's application, however in the absence of the tenant, I dismiss the tenant's application in its entirety without leave to reapply.

The *Residential Tenancy Act* states that where I dismiss a tenant's application to cancel a notice to end a tenancy given by a landlord, I must grant an Order of Possession in favour of the landlord, so long as the notice given is in the approved form. I have reviewed the One Month Notice to End Tenancy for Cause provided as evidence for this hearing, and I find that it is in the approved form and contains information required by the *Act*. It is dated January 31, 2018 and contains an effective date of vacancy of February 28, 2018. Since the effective date of vacancy has passed, and having found that the notice is in the approved form, I grant an Order of Possession in favour of the landlord on 2 days notice to the tenant.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed in its entirety without leave to reapply.

I hereby grant an Order of Possession in favour of the landlord on 2 days notice to the tenant.

This order is final and binding and may be enforced.

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: April 12, 2018

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Residential Tenancy Branch