



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This is the Tenant's Application for Dispute Resolution seeking to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities issued March 12, 2018 (the "Notice").

This Hearing was scheduled to be conducted by teleconference at 11:00 a.m., April 12, 2018. The Landlord and her legal counsel attended the Hearing on time and were ready to proceed.

The Landlord gave affirmed testimony at the Hearing. She testified that she received the Notice of Hearing documents, by registered mail, on April 2, 2018.

The line remained open while the phone system was monitored for 17 minutes but the Tenant did not sign into the teleconference. Therefore, the Tenant's Application is dismissed.

Section 55 of the Act provides, in part:

Order of possession for the landlord

- 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.

The Tenant provided a copy of the Notice in evidence, which I find conforms with Section 52 of the Act. I have dismissed the Tenant's Application and therefore, I grant the Landlord an Order of Possession.

The Tenant's Application provides that she received the Notice on March 12, 2018. The Notice provides that the Tenant failed to pay rent in the amount of \$2,000.00 that was due on March 1, 2018. The Landlord testified that monthly rent is \$1,000.00 and that the Tenant has not paid any of the outstanding rent for February and March, 2018.

I find that the tenancy ended on March 22, 2018, and that the Order of Possession is effective two days after service of the Order upon the Tenant.

Conclusion

The Tenant's Application is dismissed without leave to reapply.

The Landlord is hereby provided with an Order of Possession effective 2 days after service of the Order upon the Tenant. This Order may be enforced in 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: April 12, 2018

Residential Tenancy Branch