



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SINGLA BROTHERS HOLDINGS
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC FF

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on February 25, 2018 (the "Application"). The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order cancelling a One Month Notice to End Tenancy for Cause, dated February 16, 2018 (the "One Month Notice"); and
- an order granting recovery of the filing fee.

This matter was set for hearing by telephone conference call at 11:00 A.M. on May 9, 2018. 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 Respondent's agent, A.W. Therefore, as the Applicant did not attend the hearing by 11:10 A.M., and the Respondent's agent appeared and was ready to proceed, I dismiss the Application, without leave to reapply.

When a tenant's application to cancel a notice to end tenancy is dismissed, section 55(1) of the *Act* requires that I grant an order of possession in favour of the Landlord, if the notice complies with section 52 of the *Act*. In this case, I have reviewed the One Month Notice that was submitted into evidence and find that it complies with section 52 of the *Act*. Accordingly, pursuant to section 55(1) of the *Act*, I grant the Landlord an order of possession, which will be effective two (2) days after it is served on the Tenant.

Conclusion

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

Pursuant to section 55(1) of the *Act*, I grant the Landlord 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: May 9, 2018

Residential Tenancy Branch