



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes CNR OLC ERP RP

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on February 21, 2018. The Tenant applied for the following relief, pursuant to the Residential Tenancy Act (the "Act"):

- an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, dated February 12, 2018 (the "10 Day Notice");
- an order that the Landlord comply with the Act, regulations and/or the tenancy agreement;
- an order that the Landlord make repairs to the unit, site, or property; and
- and order suspending or setting conditions on the Landlord's right to enter the rental unit or site.

This matter was set for hearing by telephone conference call at 9:00 A.M on May 4, 2018. The line remained open while the phone system was monitored for ten minutes and the only participants who called into the hearing during this time was the Respondent and his advocate, P.S. Therefore, as the Applicant did not attend the hearing by 9:10 A.M., and the Respondent 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. The Tenant submitted a copy of the 10 Day Notice into evidence. I find it complied with section 52 of the Act. Accordingly, I grant the Landlord an order of possession, which will be effective two (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: May 4, 2018

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Residential Tenancy Branch