



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      LANDLORD: ET, FF  
TENANT: CNC

### Introduction

This hearing dealt with cross applications for Dispute Resolution filed by both the Landlords and the Tenant.

The Landlords filed seeking an early end to tenancy and an Order of Possession and to recover the filing fee.

The Tenant filed to obtain an order to cancel the Notice to End Tenancy.

Service of the hearing documents by the Landlords to the Tenant was done by personal delivery on April 13, 2018 in accordance with section 89 of the Act.

As the Tenant did not attend the hearing the Tenant did not provide any testimony or present evidence to support her request to have the 1 Month Notice to End Tenancy for Cause, dated April 3, 2018, to be cancelled.

This matter was set for hearing at 9:00 a.m. on this date. The applicant failed to attend the hearing by 9:11 a.m.

Residential Tenancy Branch Rules of Procedure, section 10.1, provides:

### ***10.1 Commencement of the dispute resolution proceeding***

*The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.*

In the absence of an appearance by the Tenant by 9:11 a.m., the Tenant's application is abandoned and dismissed without leave to reapply.

Further as the Tenant has been unsuccessful in cancelling the 1 Month Notice to End Tenancy for Cause dated April 3, 2018 and pursuant to section 55 of the Act, I grant the Landlord an Order of Possession effective 2 days after service of the Order to the Tenant.

As the tenancy is ending because the Tenant was not successful in cancelling the 1 Month Notice to End Tenancy for Cause, I find there is no reason to review the Landlord's application for an early end to tenancy.

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: June 6, 2018.

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Residential Tenancy Branch