



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RR, CNC, MT

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling a notice to end tenancy - Section 47; and
2. An Order allowing access to the unit for the Tenant or a guest of the Tenant - Section 30.

The matter was set for a conference call hearing at 9:30 a.m. on this date. The line remained open while the phone system was monitored for ten minutes. The only participant who called into the hearing during this time was the Landlord who was ready to proceed on the notice to end tenancy for cause (the “Notice”) and who confirmed the form and content of the Notice that the Tenant has disputed. The Tenant failed to attend to present their claim. The correct call-in numbers and participant codes were set out in the Notice of Hearing provided to the Tenant. In the absence of the Tenant who made the application, I dismiss this claim without leave to reapply. The rent for August 2018 has been paid and the Landlord seeks an order of possession for August 31, 2018.

Section 55(1) provides that if a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, an order of possession must be granted to the landlord if, the notice to end tenancy complies in form and content and the tenant's application is dismissed or the landlord's notice is upheld. Section 52 of the Act provides that a notice to end tenancy from a landlord must be in writing and must be

signed and dated by the landlord, give the address of the rental unit, state the effective date of the notice, state the grounds for ending the tenancy, and be in the approved form. As the Notice complies in form and content and as the Tenant's application has been dismissed I find that the Landlord is entitled to an order of possession. I therefore grant an Order of Possession to the Landlord effective 1:00 p.m. on August 31, 2018.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: August 24, 2018

Residential Tenancy Branch