



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a One Month Notice to End Tenancy for Cause, issued on March 30, 2019.

Only the landlord appeared. At the outset of the hearing the landlord stated that the tenant has missed spelled their surname in the application. Therefore, I have amended the style of cause to the correct spelling of the landlord's surname.

The landlord stated that they were not served with the tenant's application for dispute resolution and only found out about the hearing, when they contacted the Residential Tenancy Branch.

The landlord stated that they have already obtained an order of possession of the rental unit that was granted on May 21, 2019. I have noted the file number of that decision on the covering page of this decision.

The landlord stated that they are in the process of having the order of possession enforced, in the Supreme Court, as the tenant's review period has expired.

This matter was set for hearing by telephone conference call at 9:30 A.M on this date. 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 landlord. Therefore, as the tenant did not attend the hearing by 9:40 A.M, and the landlord appeared and was ready to proceed, I dismiss the tenant's application without leave to reapply.

Since, the landlord was not served with the tenant's application and the landlord has an order of possession, I find there are no issues for me to consider at the hearing.

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 24, 2019

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Residential Tenancy Branch