



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR FFT

Introduction and Preliminary Matters

This telephone conference call hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act"). The tenant applied for an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent (the "Notice") and for recovery of their filing fee paid for this application.

The hearing began as scheduled and the telephone system remained open and was monitored for 35 minutes.

During this time, the applicant/tenant did not dial into the telephone conference call hearing; however, the landlord was present and ready to proceed with the hearing.

During the hearing, the landlord confirmed that he wanted an order of possession for the rental unit as the tenant failed to pay rent for May and June 2019, despite being duly served the Notice on May 2, 2019.

Analysis and Conclusion

In the absence of the tenant to present her application, pursuant to section 7.3 of the Dispute Resolution Rules of Procedure (the "Rules"), and due to the attendance by the respondent/landlord, I dismiss the tenant's application, without leave to reapply.

Given the above and after reviewing a copy of the Notice, which had an effective vacancy date of May 17, 2019, and which I find complies with section 52 of the Act, pursuant to section 55(1) of the Act, I must grant an order of possession of the rental unit to the landlord.

I therefore grant the landlord an order of possession of the rental unit effective and enforceable two (2) days after service on the tenant.

Should the tenant fail to vacate the rental unit pursuant to the terms of the order after being served, this order may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court. The tenant is advised that costs of such enforcement are recoverable from 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: June 17, 2019

Residential Tenancy Branch