



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding SUMMERFIELD LANDS LTD and  
[tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, 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 the landlord's One Month Notice to End Tenancy for Cause ("Notice") and for recovery of the filing fee paid for this application.

The hearing began as scheduled at 11:00 a.m., Pacific Time, on July 22, 2019, and the telephone system remained open and was monitored for 10 minutes. During this time, the applicant/tenant did not dial into the telephone conference call hearing; however the landlord's agents and witnesses were present and ready to proceed with the hearing.

During the hearing, the landlords' agent confirmed that they wanted an order of possession for the rental unit due to the actions of the tenant.

While waiting for the tenant to appear, the landlords' agents' were affirmed and gave evidence in support of the landlord's Notice. The tenant and the landlord each provided a copy of the Notice, which was dated May 27, 2019, with an effective move out date of June 30, 2019. The landlord submitted the Notice was attached to the tenant's door on May 27, 2019.

### Analysis and Conclusion

In the absence of the tenant to present his application, pursuant to section 7.3 of the Dispute Resolution Rules of Procedure (the "Rules"), and due to the attendance by the agents for 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 June 30, 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: July 22, 2019

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Residential Tenancy Branch