



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding COMMUNITY BUILDERS GROUP  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Code      CNC

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on July 5, 2019. The Tenant applied for an order cancelling a One Month Notice to End Tenancy for Cause, dated June 27, 2019, pursuant to the *Residential Tenancy Act* (the "Act").

This matter was set for hearing by telephone conference call at 9:30 A.M on August 27, 2019. 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's agent, C.G., and 5 witnesses for the Landlord. Therefore, as the Tenant did not attend the hearing by 9:40 A.M, and the Landlord's agent appeared and was ready to proceed, I dismiss the Tenant's claim, without leave to reapply.

When a tenant's application to cancel a notice to end tenancy is dismissed and the notice complies with section 52 of the *Act*, section 55 of the *Act* requires that I grant an order of possession to a landlord. Having reviewed the One Month Notice, I find it complied with section 52 of the *Act*. Accordingly, by operation of section 55 of the *Act*, I find the Landlord is entitled to an order of possession, which will be effective two (2) days after service on the Tenant.

## **Conclusion**

The Application is dismissed, without leave to reapply.

By operation of section 55 of the *Act*, I grant the Landlord an order of possession. The order will be effective two (2) days after service on the Tenant. The order may be filed in and enforced as an order of the Supreme Court of British Columbia.

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: August 27, 2019

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Residential Tenancy Branch