



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ACD REALTY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

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").

The hearing began as scheduled and the telephone system remained open and was monitored for 20 minutes.

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

During the hearing, the landlord's agent confirmed that he wanted an order of possession of the rental unit, out of an abundance of caution, even though the tenant had vacated the rental unit.

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 respondent/landlord's agent, 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 July 14, 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.

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: September 13, 2019

Residential Tenancy Branch