



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding M'AKOLA HOUSING SOCIETY and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction, Preliminary and Procedural 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 (the "Notice").

The hearing began as scheduled at 11:00 a.m., Pacific Time, on October 10, 2019, and the telephone system remained open and was monitored for 11 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 the landlord wanted an order of possession for the rental unit due to the actions of the tenant as presented in their written evidence.

While waiting for the tenant to appear, the landlord's agent was affirmed and gave evidence in support of the landlord's Notice. The tenant provided a copy of the Notice, which was on the Residential Tenancy Branch ("RTB") approved form with content meeting the statutory requirements under section 52 the Act. The Notice was dated July 25, 2019, with an effective move out date of August 31, 2019. The landlord submitted without dispute that the Notice was attached to the tenant's door on July 25, 2019.

Analysis

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's agent, I dismiss the tenant's application, without leave to reapply.

Given the above, 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, including bailiff fees, are recoverable from the tenant.

Conclusion

The tenant's application is dismissed without leave to reapply. The landlord has met the statutory requirements to end the tenancy and is granted an order of possession.

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: October 10, 2019

Residential Tenancy Branch