



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC,

Introduction

On October 15, 2019, the Tenant submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (“the Act”) asking that a One Month Notice to End Tenancy for Cause dated September 27, 2019, (“the One Month Notice”) be cancelled.

The hearing was scheduled as a teleconference hearing at 11:00 AM. The Landlord’s agent appeared at the hearing; however, the Applicant/ Tenant did not. The line remained open while the phone system was monitored for ten minutes and the Applicant did not call into the hearing during this time.

Issues to be Decided

- Is the Landlord entitled to an order of possession?

Background and Evidence

The Landlord testified that the tenancy started in May 2013 and is on a month to month basis. Rent in the amount of \$675.00 is to be paid to the Landlord by the first day of each month.

The Landlord testified that she served the Tenant with the One Month Notice by posting it to the Tenant’s door on September 27, 2019.

The Tenant applied for Dispute Resolution to dispute the One Month Notice but did not appear at the hearing to pursue the dispute.

The Landlord requested an order of possession for the rental unit.

Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

The Tenant applied for Dispute Resolution to cancel a One Month Notice to End Tenancy but failed to attend the hearing. Therefore, I dismiss the Tenant's Application to cancel the One Month Notice to End Tenancy for Cause dated September 27, 2019.

Under section 55 of the Act, when a tenants application to cancel a Notice to end tenancy is dismissed and I am satisfied that the Notice to end tenancy complies with the requirements under section 52 regarding form and content, I must grant the Landlord an order of possession.

I find that the One Month Notice issued by the Landlord meets the requirements for form and content.

I find that the Landlord is entitled to an order of possession effective two (2) days after service on the Tenant. This order may be filed in the Supreme Court and enforced as an order of that Court.

Conclusion

The Tenant failed to attend the hearing. The Tenant's application to cancel the One Month Notice is dismissed. The Landlord is granted an order of possession for the rental unit.

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: November 14, 2019

Residential Tenancy Branch