



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC-MT

Introduction

This hearing was scheduled to convene at 11:00 a.m. this date concerning an application made by the tenant seeking more time than prescribed to dispute a notice to end the tenancy given by the landlord, and for an order cancelling a notice to end the tenancy for cause.

An agent for the landlord attended the hearing prepared to respond to the tenant's application, however the line remained open while the telephone system was monitored for 15 minutes and no one for the tenant joined the call. Therefore, I dismiss the tenant's application without leave to reapply.

The *Residential Tenancy Act* specifies that where I dismiss a tenant's application to cancel a notice to end a tenancy given by a landlord, I must grant an Order of Possession in favour of the landlord, so long as the notice given is in the approved form.

I have reviewed the One Month Notice to End Tenancy for Cause provided as evidence for this hearing by the landlord and by the tenant. It is dated October 1, 2020 and contains an effective date of vacancy of October 31, 2020. The reasons for issuing it state:

- Tenant or a person permitted on the property by the tenant has:
 - significantly interfered with or unreasonably disturbed another occupant or the landlord;
 - seriously jeopardized the health or safety or lawful right of another occupant or the landlord;
- Tenant or a person permitted on the property by the tenant has engaged in illegal activity that has, or is likely to:
 - damage the landlord's property;
 - adversely affect the quiet enjoyment, security, safety or physical well-being of another occupant;
 - jeopardize a lawful right or interest of another occupant or the landlord.

Although it is an older version of the current form, I find that it is an approved form and contains information required by the *Act*.

Since the tenant has not joined the hearing, and having found that the Notice given is in the approved form, I grant an Order of Possession in favour of the landlord.

Since the effective date of vacancy has passed, I grant the Order of Possession effective on 2 days' notice to the tenant.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed in its entirety without leave to reapply.

I hereby grant an Order of Possession in favour of the landlord effective on 2 days' notice to the tenant.

This order is final and binding and may be enforced.

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: January 15, 2021

Residential Tenancy Branch