



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding DEVON PROPERTIES and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, RP, OLC

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- an order to the landlord to make repairs to the rental unit pursuant to section 32.

The tenant's advocate, C.W. attended the hearing via conference call. The landlord's agent, E.S. (the landlord) attended the hearing via conference call.

The hearing began 10 minutes past the start of the scheduled hearing time to allow both parties an opportunity to attend, participate and make submissions. The tenant's advocate stated that she is unable to get in contact with the tenant despite numerous attempts. The tenant's advocate stated that she had no instructions or details to proceed with the hearing.

At 17 minutes past the start of the scheduled hearing time, the tenant's application was dismissed without leave to reapply. The landlord stated that they wished to end the tenancy with the tenant and obtain an order of possession.

Pursuant to section 55(1) of the Act, after dismissing the tenant's application for dispute of the 10 Day Notice, the landlord is granted an order of possession to be effective 2 days after service upon the tenant.

This order must be served upon the tenant. Should the tenant fail to comply, this order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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: February 02, 2021

Residential Tenancy Branch