



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC LAT LRE FF

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. The participatory hearing was held on May 30, 2022. The Tenant applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the "Act").

The Respondent/Landlord attended the hearing but the Tenant did not. The hearing was by telephone conference and began promptly, as scheduled, at 11:00 am Pacific Time on May 30, 2022, as per the Notice of a Dispute Resolution Hearing provided to the Tenant (applicant). The line remained open while the phone system was monitored for 10 minutes and the only participant who called into the hearing during this time was the Respondent/Landlord who was ready to proceed. The Landlord testified that the Tenant is still residing in the rental unit.

After the ten minute waiting period, the Tenant's application was dismissed, in full, without leave to reapply.

Under section 55 of the Act, when a Tenant's 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, I must grant the Landlord an order of possession. Section 52 of the *Act* requires that any notice to end tenancy issued by a landlord must be signed and dated by the landlord, give the address of the rental unit, state the effective date of the notice, state the grounds for ending the tenancy, and be in the approved form.

I find that the Notice provided into evidence meets the requirements for form and content. I also note the Landlord provided a detailed explanation on the Notice itself regarding why the tenancy should end by way of the Notice. I accept this undisputed

evidence and testimony on this matter, and I find the Landlord is entitled to an order of possession, effective 2 days after service on the Tenant.

Conclusion

I dismiss the Tenant's application, in full, without leave to reapply.

The Landlord is granted an order of possession effective **two days after service** on the Tenant. This order must be served on the Tenant. If the Tenant fails to comply with this order the Landlord may file the order with the Supreme Court of British Columbia and be 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: May 30, 2022

Residential Tenancy Branch