



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Code OLC, CNC

This hearing was convened as a result of the Tenant's Application for Dispute Resolution made on March 31, 2022. The Tenant applied for the following relief, pursuant to the Residential Tenancy Act (the Act):

- an order that the Landlord comply with the Act, Residential Tenancy Regulation, and/or the tenancy agreement; and
- an order cancelling a One Month Notice to End Tenancy for Cause dated March 17, 2022 (the One Month Notice).

The Landlord was represented at the hearing by KF, an agent, who provided a solemn affirmation at the beginning of the hearing. The hearing remained open for 10 minutes, but the Tenant did not attend. As the Tenant did not attend the hearing, I order that the Tenant's application is dismissed without leave to reapply.

Section 55(1) of the Act confirms that when a tenant's application to cancel a notice to end tenancy is dismissed and the notice to end tenancy complies with the form and content requirements of section 52 of the Act, the director must grant the landlord an order of possession. The language in the Act is mandatory.

In this case, I have examined the One Month Notice and I find that it is signed and dated by the Landlord's agent, gives the address of the rental unit, states the effective date, states the grounds for ending the tenancy, and is in the approved form. Therefore, I find the One Month Notice complies with the form and content requirement of section 52 of the Act.

As I have dismissed the Tenant's application and found that the One Month Notice complies with the form and content requirements of section 52 of the Act, I find that the Landlord is entitled to an order of possession pursuant to section 55(1) of the Act. The order of possession will be effective two days after it is served on the Tenant. The order of possession may be filed in and enforced as an order of the Supreme Court of British Columbia.

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: June 30, 2022

Residential Tenancy Branch