



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Code CNC-MT, FFT

This hearing was convened as a result of the Tenant's Application for Dispute Resolution made on August 30, 2022. The Tenant applied for the following relief, pursuant to the Residential Tenancy Act (the Act):

- an order cancelling a One Month Notice to End Tenancy for Cause dated August 18, 2022 (the One Month Notice);
- an order granting an extension of time to dispute the One Month Notice; and
- an order granting recovery of the filing fee.

The Landlord attended the hearing and was accompanied by ML, SM, and WS, all of whom provided a solemn affirmation at the beginning of the hearing. The Tenant did not attend the hearing. As the Tenant did not attend the hearing, I order that the application is dismissed without leave to reapply.

When a tenant's application to cancel a notice to end tenancy is dismissed and the notice complies with section 52 of the Act, section 55(1) of the Act requires that I grant an order of possession to the landlord. The language in the Act is mandatory. I have reviewed the One Month Notice submitted into evidence and find it is signed and dated, 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 that the 10 Day Notice complies with section 52 of the Act.

As the Tenant's application to cancel the One Month Notice is dismissed without leave to reapply and the One Month Notice complies with section 52 of the Act, I find, pursuant to section 55(1) of the Act, that the Landlord is entitled to an order of possession. 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: October 28, 2022

Residential Tenancy Branch