



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SKYLINE APARTMENTS
and [tenant name suppressed to protect privacy]

DECISION

Dispute Code CNC

This hearing was convened as a result of the Tenants' Application for Dispute Resolution made on December 22, 2022. The Tenants applied for an order cancelling a One Month Notice to End Tenancy for Cause dated December 8, 2022 (the One Month Notice), pursuant to the Residential Tenancy Act (the Act).

The Landlord was represented at the hearing by DB, an agent. CH attended the hearing but confirmed she was unable to speak to the details of the Tenants' application. Both DB and CH provided a solemn affirmation at the beginning of the hearing.

The telephone conference hearing lasted for 10 minutes and neither of the Tenants attended. Accordingly, I order that the Tenants' 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. Having reviewed the One Month Notice, I 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 the One Month Notice complies with the form and content requirements of section 52 of the Act. As a result, by operation of section 55(1) of the Act, I find the Landlord is entitled to an order of possession, which will be effective two (2) days after service on the Tenants.

Conclusion

The Tenants' application is dismissed without leave to reapply.

By operation of section 55(1) of the Act, I grant the Landlord an order of possession, which will be effective two days after it is served on the Tenants. 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: March 14, 2023

Residential Tenancy Branch