



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding PACIFIC CROWN MANAGEMENT and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

In February 2023, the tenant applied to the Residential Tenancy Branch [the 'RTB'] for Dispute Resolution. The tenant asks that I cancel a one-month notice to end tenancy for cause, dated 22 February 2023 [the 'Notice'].

The tenant did not appear at the hearing on 21 March 2023. The corporate landlords did appear, by way of an agent.

Preliminary Matter

I left the teleconference hearing connection from 1100 hours to 1110 hours. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the landlords and I were the only ones who had called into this teleconference.

Rule 7.3 of the RTB Rules of Procedure reads:

7.3 Consequences of not attending the hearing

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

As the tenant did not attend this hearing and apparently gave up on this application, I dismissed this application without leave to re-apply.

Issues to be Decided

Though the tenant has apparently given up on this application, section 55 of the Act requires me to grant to the landlords an order of possession if their Notice complied with section 52 of the Act.

So, did the Notice comply with section 52 of the Act?

Evidence

I reviewed the Notice, a copy of which was provided by the tenant when filing this application.

In doing reviewing the Notice, I found that the landlords:

1. used the form approved by the RTB;
2. signed and dated the Notice;
3. accurately recorded the address of the rental unit;
4. recorded the effective date of the Notice as 31 March 2023; and
5. stated the basis for the Notice as the tenant's repeated late-payment of rent.

Analysis

The Notice as drafted by the landlords complies with section 52 of the Act. And so I am required to issue an order of possession to the landlords.

This order is effective two days after the landlords serve it upon the tenant. If the tenant or any occupant of the rental unit fails to comply with my order, then the landlords can file this order with the Supreme Court of British Columbia, and enforce it as an order of that court.

I make this decision on authority delegated to me by the Director of the RTB under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: 6 April 2023