



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MT, CNC

Introduction

This matter dealt with an application by the Tenant for more time to cancel a Notice to End Tenancy and if successful on that part of his claim, to cancel a One Month Notice to End Tenancy for Cause dated December 1, 2009.

The hearing started at 11:00 a.m. as scheduled, however by 11:10 a.m. the Tenant/Applicant had not dialled into the conference call. Consequently, the hearing proceeded in the Tenant's absence.

In a previous hearing held on December 30, 2009, the Landlord's application for an early end to the tenancy was granted and he was given an Order of Possession to take effect 2 days after service of it on the Tenant. The Landlord said he served the Tenant with the Order of Possession in person on January 4, 2010. The Tenant did not apply for a review of that Decision or Order.

I find that there are no grounds for the Tenant's application as this matter has already been heard and adjudicated upon with the result that the tenancy has been ended. Furthermore, the time limits under the Act for applying for a Review of the Decision and Order made on December 30, 2009 have now expired. As a result, the Tenant's application is dismissed without leave to reapply.

Conclusion

The Tenant's application is dismissed without leave to reapply. 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: January 20, 2010.

Dispute Resolution Officer