



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, OLC, MNDC, FF

Introduction and Analysis

This telephone conference call hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act") seeking an order cancelling the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the "Notice"), for a monetary order for money owed or compensation for damage or loss, for an order requiring the landlord to comply with the Act, and for recovery of the filing fee.

The hearing began at 9:00 a.m. as scheduled and the telephone system remained open and was monitored for 11 minutes. During this time, the applicant/tenant did not dial into the telephone conference call hearing; however, the respondent/landlord attended the hearing and was ready to proceed with a response to the tenant's application. The also landlord requested an order of possession for the rental unit.

Conclusion

In the absence of the tenant to present his claim, pursuant to section 10.1 of the Residential Tenancy Branch Rules of Procedure (Rules), I dismiss the tenant's application, without leave to reapply.

As I have dismissed the tenant's application seeking cancellation of a 10 Day Notice to End Tenancy for Unpaid Rent, pursuant to section 55(1)(b) of the Act, I grant the landlord's request for an order of possession for the rental unit.

I therefore grant an order of possession for the rental unit effective 2 days after service upon the tenant.

This final, legally binding order of possession is enclosed with the landlord's Decision.

Should the tenant fail to vacate the rental unit pursuant to the terms of the order, this order may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court. The tenant is advised that costs of such enforcement are recoverable from the tenant.

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* and is being mailed to both the applicant and the respondent.

Dated: April 30, 2013

Residential Tenancy Branch