



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, CNC

Introduction

A hearing was conducted by conference call in the presence of two representatives of the landlord and in the absence of the tenant although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the one month Notice to End Tenancy was sufficiently served on the Tenant by posting on June 16, 2015. Further I find that the Application for Dispute Resolution/Notice of Hearing filed by the landlord was personally served on the Tenant on August 7, 2015. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the Tenant is entitled to an order cancelling the one month Notice to End Tenancy dated June 16, 2015?
- b. Whether the landlord is entitled to an Order for Possession?

Background and Evidence

The parties entered into a written tenancy agreement that provided that the tenancy would start on March 15, 2007. The present rent is \$660 per month payable in advance on the first day of each month. The tenant paid a security deposit of \$325 at the start of the tenancy.

Tenant's Application:

The tenant failed to contact the telephone bridge number at the scheduled start of the hearing. Two representatives of the landlord were present and ready to proceed. The telephone line conference line remained open and the phone system was monitored for ten minutes. The tenant failed to appear. I then proceed with the hearing.

In the absence of any evidence or submissions from the tenant I dismissed the application to cancel the one month Notice to End Tenancy without liberty to reapply. The rent has been paid for August. I order that the tenancy shall end on August 31, 2015.

Landlord's Application - Order for Possession:

I determined the landlord is entitled to an Order for Possession. The Residential Tenancy Act provides that where a landlord has made an oral request for an Order for Possession at a hearing where a dispute resolution officer has dismissed a tenant's application to set aside a Notice to End Tenancy, the dispute resolution officer must grant an Order for Possession. The landlord made this request at the hearing. Further, the landlord is entitled to an Order for Possession based on its own application. As a result I granted the landlord an Order for Possession effective August 31, 2015.

The tenant must be served with this Order as soon as possible. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement.

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: August 25, 2015

Residential Tenancy Branch

