



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LANNON CREEK HOLDINGS LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, LRE, OLC

Introduction

On December 6, 2019, the Tenant submitted an Application for Dispute Resolution asking to cancel a One Month Notices to End Tenancy for Cause.

This matter was set for hearing by telephone conference call at 11:00 am on this date. The Landlord appeared at the hearing; however, the Tenant did not. The line remained open while the phone system was monitored for ten minutes and the applicant/ Tenant did not call into the hearing during this time. Therefore, as the Applicant did not attend the hearing by 11:10 am, I dismiss the application without leave to reapply.

Issue to be Decided

Is the Landlord entitled to an order of possession for the rental site?

Background and Evidence

The Landlord testified that the Landlord issued the Tenant a One Month Notice to End Tenancy for Cause dated November 28, 2019 ("the One Month Notice") by posting the Notice to the Tenant's door. The Landlord indicated that the Notice contains the following reasons for ending the tenancy:

Tenant or a person permitted on the property by the Tenant has:

- *Seriously jeopardized the health or safety or lawful right of another occupant or the Landlord*
- *Put the Landlord's property at significant risk*

The One Month Notice has an effective date of January 1, 2020. The Landlord provided a copy of the One Month Notice.

The One Month Notice provides information for Tenants who receive the Notice. The Notice provides that a Tenant has the right to dispute the Notice within 10 days after receiving it by filing an Application for Dispute Resolution at the Residential Tenancy Branch.

The Tenant disputed the One Month Notice on December 6, 2019 within the required timeframe. The Tenant failed to attend the hearing to pursue his application to dispute the One Month Notice.

The Landlord requested an order of possession for the rental site.

Analysis

Under section 48 of the Act, when a tenant's application to cancel a notice to end tenancy is dismissed and I am satisfied that the notice to end tenancy complies with the requirements under section 45 regarding form and content, I must grant the order of possession.

I find that the One Month Notice complies with the requirements regarding form and content. Accordingly, I grant the Landlord an order of possession for the rental site effective February 29, 2020.

Conclusion

The Tenant failed to attend the hearing to pursue his application to cancel a One Month Notice to End Tenancy for Cause dated November 28, 2019.

I grant the Landlord an order of possession of the rental site effective February 29, 2020. The Tenant must be served with the order of possession. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: February 03, 2020

Residential Tenancy Branch