

DECISION AND REASONS

Dispute Codes: OPC, OPB, MNR, SD, FF

Introduction

This was an application by the landlord for an Order for Possession pursuant to a Notice to End Tenancy for cause and for a Monetary Order. The hearing was conducted by conference call. The landlord was represented on the application by its administrative manger. The tenant attended the hearing.

Evidence and Conclusion

The tenancy began in May, 2005 and runs from month to month. Based on the testimony of the landlord's representative, given under solemn affirmation I find that the tenant was personally served with a Notice to End Tenancy for cause on July 10, 2008. The cause alleged is that the tenant has allowed an unreasonable number of occupants in his unit. The landlord' representative testified that the tenant has allowed street people and undesirable people to stay in his rental unit; the tenant's invitees have interfered with the quiet enjoyment of other tenants of the rental property which is a senior citizens' housing complex. The tenant has denied many of the landlord's allegations, but the tenant has not applied to dispute the Notice to End Tenancy and he is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. Based on the above facts I find that the landlord is entitled to an order for possession effective two days after service on the tenant. This order may be filed in the Supreme Court and enforced as an Order of that Court.

The landlord claimed a monetary order for unpaid rent, however since the application was filed the rent has been paid. The landlord is entitled to recover the \$50.00 filing fee for this application.

Dated September 12, 2008.