



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION AND REASONS

Dispute Codes

OPC & FF

Introduction

This hearing dealt with an application by the landlord seeking an Order of Possession further to the service of a one month Notice to End Tenancy for cause on the tenant. Although the tenant was served in person with notice of this application and hearing on April 30, 2009, he did not appear for the hearing. I proceeded with the hearing in the tenant's absence.

Issue to be Determined

Is the landlord entitled to an Order of Possession pursuant to section 47 of the *Act*?

Background and Evidence

This tenancy began on September 1, 1997. The current monthly rent is \$718.00 and the tenant paid a security deposit of \$275.00 on September 1, 1997.

On March 16, 2009 the tenant was served with a one month Notice to End Tenancy for cause when it was posted to the door of the rental unit. The tenant had 10 days to file an application for dispute resolution to dispute the notice. Having failed to exercise that right the tenant is conclusively presumed to have accepted the end of the tenancy effective April 30, 2009 pursuant to section 47(5).

On this basis I grant the landlord an Order of Possession effective **two (2) days** after it is served upon the tenant. This Order may be filed with the Supreme Court of British Columbia and enforced as an Order of that Court.

Conclusion

The landlord's application is granted and I Order that the landlord may recover the \$50.00 filing fee paid for this application from the tenant's security deposit.

Dated June 03, 2009.

Dispute Resolution Officer