



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      OPC & FF

### Introduction

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing which was posted on his door on November 8, 2009, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issues(s) to be Decided

This is a request for an Order of Possession and a request of the respondent bear the \$50.00 filing fee that was paid for this hearing

### Decision and reasons

The respondent has been served with a one month Notice to End Tenancy for clause and to date has filed no dispute of that notice. The tenant is therefore conclusively deemed to have accepted the end of the tenancy.

The notice was served in the month of October 2009 and therefore the end of tenancy date is November 30, 2009.



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The landlord testified at the hearing that he does not believe the tenant will vacate the rental unit on the 30th of November 2009 and therefore he is requesting an Order of Possession be issued.

It is my decision that I will issue an Order of Possession for 1 p.m. on November 30, 2009; however I will not order that the respondent bear the \$50.00 cost of the filing fee, because the tenant may have vacated on the 30th of November without an order being issued.

## Conclusion

I have issued an Order of Possession for 1 p.m. November 30, 2009.

I further order that the applicant/landlord bear the \$50.00 cost of the filing fee that was paid for this hearing.

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: November 27, 2009.

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Dispute Resolution Officer