



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPL, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession. Both parties participated in the conference call hearing.

Issue to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

The parties agreed that the landlord served the tenant with a 2 month notice to end tenancy on April 30, 2010.

Analysis

I find that the tenant was served with a notice to end tenancy. The tenant did not apply for dispute resolution to dispute the notice within 15 days of the time she was served with the notice and 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 of possession. 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.

The notice to end tenancy is not effective until May 1, 2011. I find it appropriate that the landlord bear the cost of the filing fee made to bring this application as it is not yet evident that an order of possession was required.

Conclusion

The landlord is granted an order of possession.

Dated: July 07, 2010
