



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes FF, & OPC

Introduction

Some documentary evidence and written arguments have 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, by hand on August 10, 2010, 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 that the respondent bear the \$50.00 cost of the filing fee that was paid for the application for dispute resolution.

Background and Evidence

The applicants testified that:

- The tenant was served with a one month Notice to End Tenancy for cause, on July 5, 2010 with an end of tenancy date of August 31, 2010.
- The tenant has filed no dispute of the Notice to End Tenancy however the tenant failed to vacate on the required date.



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The applicants are therefore requesting an Order of Possession for September 30, 2010, based on the Notice to End Tenancy, and an order that the respondent pay the \$50.00 filing fee.

Analysis

The landlords have properly served the tenant with a one month Notice to End Tenancy for cause, and the tenant has filed no dispute of that notice. The tenant is therefore conclusively deemed to have accepted the end of the tenancy.

Therefore since the tenant has failed to vacate on the date established by the Notice to End Tenancy, the landlords have the right to an Order of Possession.

Conclusion

I have issued an Order of Possession for 1 p.m. on September the 30th 2010 and have ordered that the respondent bear the \$50.00 cost of the filing fee.

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: September 27, 2010.

Dispute Resolution Officer