

## **DECISION**

**Dispute Codes:** *OPC*

### **Introduction**

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order of possession pursuant to the notice to end tenancy for cause.

The notice of hearing was served on the tenant by the landlord in person on September 16, 2010. Despite having been served the notice of hearing, the tenants did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions

### **Issues to be decided**

Does the landlord have cause to end the tenancy?

### **Background and Evidence**

The landlord testified that the tenancy started on August 01, 1966. The monthly rent is \$715.00 payable in advance, on the first of each month.

In response to several complaints from the other occupants of the building, the landlord served the tenant with a warning letter dated July 09, 2010, requesting him to cease buying drugs in the parking lot, stop begging for money from the other tenants and stop visits from his friend Matt.

These activities continued and therefore on July 20, 2010, the landlord served the tenant with a notice to end tenancy for cause. The reason for the notice is that the tenant has significantly interfered with or unreasonably disturbed other tenants, seriously jeopardized the health or safety or lawful right of other occupants and put the landlord's property at risk. The tenant did not make application to dispute the notice.

**Analysis**

Based on the undisputed testimony of the landlord, I find that the tenant did not dispute the notice to end tenancy. Pursuant to section 47 (5) of the *Residential Tenancy Act*, if a tenant has received a notice to end tenancy for cause and does not make an application for dispute resolution within ten days after receiving the notice, the tenant is conclusively presumed to have accepted that the tenancy ends on the effective date of the notice and must vacate the rental unit by that date.

Therefore, I find that the landlord is entitled to an order of possession and pursuant to section 55(2); I am issuing a formal order of possession effective two days after service on the tenant. The Order may be filed in the Supreme Court for enforcement.

**Conclusion**

I grant the landlord an order of possession effective two days after service on the tenant.

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: October 20, 2010.

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Dispute Resolution Officer