



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      OPC, OPB

### Introduction

A substantial amount of 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 by registered mail that was mailed on December 10, 2010, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request for an Order of Possession based on a one month Notice to End Tenancy for cause.

### Background and Evidence

The applicants testified that:

- On September 30, 2009 the tenant was personally served with a Notice to End Tenancy, within the end of tenancy date of October 31, 2010.
- The tenant has failed to comply with the Notice to End Tenancy and is still in the rental unit.



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- No rent has been accepted from the tenant for the months of November 2010 or December 2010.

The applicants are therefore requesting an Order of Possession for as soon as possible.

## Analysis

The landlord served a valid, one month, Notice to End Tenancy and the tenant has filed no dispute of that notice. The tenant is therefore deemed to have accepted the end of the tenancy and since she has failed to vacate pursuant to that notice, the landlords have the right to an Order of Possession.

## Conclusion

I have issued an Order of Possession to the landlords that is enforceable 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: December 30, 2010.

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Residential Tenancy Branch