



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes OPC FF

Introduction

This hearing dealt with an application by the landlord for an order of possession pursuant to a notice to end tenancy for cause. Both the landlord and the tenant participated in the teleconference hearing.

Background and Evidence

The landlord's evidence was that on January 4, 2011, he personally served the tenant with a notice to end tenancy for cause. The tenant agreed that she did receive the notice to end tenancy on January 4, 2011. The tenant did not file an application to dispute the notice.

Analysis

Based on the above evidence, I find that the tenant was served with a notice to end tenancy for cause and did not apply for dispute resolution to dispute the notice. The tenant is therefore conclusively presumed to have accepted that the tenancy ends on the effective date of the notice. Based on the above facts I find that the landlord is entitled to an order of possession.

Conclusion

I grant the landlord an order of possession effective February 28, 2011. 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 landlord is also entitled to recovery of the \$50.00 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: January 31, 2011.

Residential Tenancy Branch