

## DECISION

Dispute Codes      OPC, OPB

### Introduction

This is an application by the Landlord for an order of possession resulting from a 1 month notice to end tenancy for cause.

The Landlord's agent attended the hearing by conference call and gave undisputed affirmed testimony. The Tenant did not attend.

### Issue(s) to be Decided

Is the Landlord entitled to an order of possession?

### Background and Evidence

The Landlord states the Tenant was personally served on January 14, 2011 with the 1 month notice to end tenancy for cause. As of the date of this hearing the Tenant has not filed an application for dispute resolution and still remains in possession of the rental unit.

The Landlord states that the Tenant was personally served on February 7, 2011 with the notice of hearing and evidence documents.

### Analysis

Based upon the undisputed affirmed evidence of the Landlord, I find that the Tenant has failed to apply for dispute resolution within 10 days of receiving the notice to end tenancy. The Tenant is presumed to accept that the Tenancy is ending as per the notice indicating an end to tenancy on February 28, 2011. I am satisfied 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.

### Conclusion

The Landlord is granted an order of possession.

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: February 15, 2011.

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Residential Tenancy Branch