



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPC, FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord for an order of possession and to recover the filing fee for the Application.

### Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession?

### Background and Evidence

The Tenant was served with a one month Notice to End Tenancy for cause in February of 2011, with an effective date of March 31, 2011 (the "Notice"). The Tenant disputed the Notice in an earlier hearing under a different file number. The Application of the Tenant was dismissed on May 3, 2011, without leave to reapply. The Dispute Resolution Officer found that the Notice remains in full force and effect. Despite this, the Tenant still has not vacated the rental unit.

### Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find the Tenant is in breach of the Act and I grant the Landlord an order of possession, pursuant to section 62 of the Act. The order is effective at **1:00 p.m. June 9, 2011**. This order may be filed and enforced in the Supreme Court.

I award the Landlord the \$50.00 fee paid for this Application. The Landlord may retain \$50.00 from the security deposit.

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: June 06, 2011.

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Residential Tenancy Branch