



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPE, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession. Both parties participated in the conference call hearing.

Issues to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

The tenancy began on or about December 1, 2007. Rent in the amount of \$1180.00 is payable in advance on the first day of each month. The subject tenant is the resident caretaker for this property. The landlord has given notice that his employment is to end on November 30, 2011.

Both parties are in agreement that the tenant vacates the unit on or before 1:00 p.m. on November 30, 2011.

Analysis

I accept the landlord's undisputed testimony and I find that the tenant was served with a notice to end tenancy for end of employment. The tenant did not apply for dispute resolution to dispute the notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the notice. Based on the above facts I find 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.

As the landlord is making this application prior to the effective date of the notice, she is not entitled to the recovery of the filing fee.

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: November 21, 2011.

Residential Tenancy Branch