



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute codes OP MNR MNSD FF

Introduction

This hearing dealt with an application by the landlord for an order for possession. Although served with the Application for Dispute Resolution and Notice of Hearing in person on September 9, 2011 the tenants did not appear.

Issues

Is the landlord entitled to the requested orders?

Background and Evidence

This tenancy began on April 1, 2010. The rent is \$1,800.00 due in advance on the first day of each month. On August 24, 2011 the tenants were served with a Notice to End Tenancy for cause. The tenants did not file an application to dispute the Notice.

Analysis

Section 47 of the Act requires that upon receipt of a Notice to End Tenancy for cause the tenant must, within ten days, dispute the notice by filing an Application for Dispute Resolution with the Residential Tenancy Branch. If, as in the present case, the tenant does not dispute the Notice the tenant is conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice.

In the present case the effective day of the Notice is September 30, 2011 but the landlord said they have reached an agreement with the tenants to allow them to stay in the rental unit until January 31, 2012.

Conclusion

Based on the above I find that the landlord is entitled to an order for possession effective January 31, 2012. This order may be filed in the Supreme Court and enforced as an order of that Court.

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*.