



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPC

### Introduction

This hearing dealt with an application by the landlord for an order of possession. The landlord testified that on January 26, 2012, he personally served the tenant with the application for dispute resolution and notice of hearing. I found that the tenant had been served with notice of the hearing and claim against her and the hearing proceeded in her absence.

### Issue to be Decided

Is the landlord entitled to an order of possession?

### Background and Evidence

The landlord testified that on January 11, 2012, he served the tenant with a one month notice to end tenancy (the "Notice") by posting the notice on the door of the rental unit. He further testified that on or about January 25 he had a discussion with her about the Notice.

### Analysis

I accept the landlord's undisputed testimony and I find that the tenant received the Notice on January 14, 3 days after it was posted on her door. The tenant did not dispute the Notice within 10 days of having received it and pursuant to section 47(5) of the Act she is conclusively presumed to have accepted that the tenancy ends on the effective date of the Notice. I find that the landlord is entitled to an order of possession effective February 29, 2012. This order must be served on the tenant and should the tenant fail to comply with the order, it may be filed in the Supreme Court 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 17, 2012

---

Residential Tenancy Branch