



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, FF

Introduction

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

Issue to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

The facts are not in dispute. The tenant was served with a one month notice to end tenancy for cause (the "Notice") on February 19. The tenant did not dispute the Notice.

Analysis

Section 47(5) of the Act provides that if a tenant does not dispute a notice to end tenancy for cause within 10 days of having received it, he is conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. I find that this presumption is effective.

At the hearing, the landlord advised that she believed that issues between the tenant and landlord have been resolved and asked that an order of possession be made effective April 30, 2012. The landlord stated that at the end of the month, she will consider reinstating the tenancy if there are no further problems. The landlord withdrew the claim for recovery of the filing fee.

I find that the landlord is entitled to an order of possession and I grant her an order effective April 30, 2012. The order may be filed in the Supreme Court for enforcement if required.

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: April 05, 2012

Residential Tenancy Branch