



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR

Introduction

This was the hearing of the landlord's application for an order for possession pursuant to a Notice to End Tenancy for unpaid rent. The tenant's application to cancel the Notice to End Tenancy although scheduled to be heard on May 10, 2012 was dealt with together with the landlord's application by consent of the parties.

Issue(s) to be Decided

Should the Notice to End Tenancy be cancelled?
Is the landlord entitled to an order for possession?

Background and Evidence

The rental unit is a manufactured home on a pad in the landlord's Manufactured Home Park. The tenant was the former owner of the home but sold it to the landlord in December, 2010 and became a residential tenant under a tenancy agreement with the landlord.

The tenant has acknowledged that she is in arrears of rent and that she has not paid rent since January. At the date of the hearing the tenant owed the sum of \$2,475.00 including late fees. The landlord has already obtained a monetary order for unpaid rent for two months. The landlord served the tenant with a 10 day Notice to End Tenancy for unpaid rent on March 30, 2012. The tenant did not file her application to dispute the Notice to End Tenancy until April 23, 2012, well beyond the time for filing her application.

At the hearing the parties agreed that if the tenant did not pay the outstanding rent and the rent due for May, on or before May 1, 2012 the landlord would be entitled to an order for possession effective May 2, 2012, but if the rent was paid the landlord would not enforce the order and the tenant would be permitted to remain in the rental unit until May 31, 2012 when she would move out.

Analysis and conclusion

Pursuant to the agreement of the parties I grant the landlord an order for possession effective May 2, 2012 after service on the tenant. This order may be registered 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*.

Dated: May 03, 2012.

Residential Tenancy Branch

