

DECISION

Dispute Codes MT, CNR

This is an application filed by the Tenant to be allowed more time to make a application to cancel a notice to end tenancy and to cancel a notice to end tenancy issued for unpaid rent.

Both parties attended the hearing by conference call and gave testimony. As both parties have attended the hearing and have confirmed receipt of the notice of hearing and evidence package submitted, I am satisfied that each party has been properly served as deemed under the Act.

At the beginning of the hearing the Tenant stated that she received the notice to end tenancy dated June 6, 2012 on the same date. The file shows that the Tenant made the application for dispute on June 11, 2012. I find as the application for dispute was filed on the 5th day following the receipt of the notice that the Tenant's application for more time is not necessary.

During the hearing the Landlord made an oral request for an order of possession to end the tenancy.

Issue(s) to be Decided

Is the Tenant entitled to an order to cancel the notice to end tenancy for unpaid rent?
Is the Landlord entitled to an order of possession?

Background, Evidence and Analysis

This Tenancy began on November 9, 2007 on a month to month basis as shown by the submitted copy of the signed tenancy agreement. The current monthly rent is \$471.64.

The Landlord states that the Tenant was served with a 10 day notice to end tenancy for unpaid rent dated June 6, 2012 on the same day in person. The Tenant has confirmed this in her direct and documentary evidence. Both parties have confirmed that no rent has been paid since the notice was served on the Tenant on June 6, 2012.

Based upon the undisputed testimony of both parties, I am satisfied that the Landlord has established the claim of unpaid rent. The Tenant's application to cancel the notice to end tenancy is dismissed without leave to reapply. The Landlord's oral application for

an order of possession is granted. 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.

Conclusion

The Tenant's application is dismissed without leave to reapply.
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 *Manufactured Home Park Tenancy Act*.

Dated: July 04, 2012.

Residential Tenancy Branch