



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPC, FF

### Introduction

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant's agent testified that the respondent was served with notice of the hearing by hand on July 30, 2012; however the respondent did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request for an Order of Possession based on a Notice to End Tenancy that was given for cause, and a request for recovery of the \$50.00 filing fee

### Background and Evidence

The applicant testified that:

- On June 30, 2012 the tenant was personally served with a one month Notice to End Tenancy, ending the tenancy on July 31, 2012.
- To date the tenant has failed to comply with the notice and has failed to pay any rent for the months of June 2012, July 2012, and August 2012.
- They are therefore requesting an Order of Possession for as soon as possible.

### Analysis

It is my finding that the applicants have served the tenant with a one month Notice to End Tenancy and that the notice was served on June 30, 2012.

The tenant has filed no dispute of the Notice to End Tenancy and therefore is conclusively deemed to have accepted the end of the tenancy.

Therefore since the tenant has failed to vacate the rental unit, I allow the landlords request for an Order of Possession, and recovery of the filing fee.

### Conclusion

I have issued an Order of Possession that is enforceable two days after service on the tenant and have issued an order for the tenant to pay \$50.00 to the landlord

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: August 27, 2012.

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Residential Tenancy Branch