



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, OPB

Introduction

The landlord has applied for dispute resolution of a dispute in the tenancy at the above noted address, and requests an Order of Possession, based upon an undisputed one month Notice to End Tenancy, given for repeated late rental payments, and other causes

Issues to Be Decided

- Is the landlord entitled to an Order of Possession?

Background and Evidence

This tenancy began August 1, 2012. The monthly rent is \$1,100.00 due on the 1st day of each month. There is no dispute that the rent has been paid late on essentially every month since the tenancy began. On April 4, 2013, the tenant was personally served a one month Notice To End Tenancy, effective to end the tenancy on May 31, 2013.

Analysis

Section 47(5) of the Residential Tenancy Act, provides that when a tenant does not make application to dispute a notice to end the tenancy for cause within the time required, the tenant is conclusively deemed to have accepted that the tenancy ends on the effective date of the notice. Further, it is clear that there is cause to end the tenancy, on the basis of repeated late payment of rent. Accordingly I find the tenancy shall end May 31, 2013, and the landlord shall be issued an Order of Possession, effective May 31, 2013.

Conclusion

I issue an Order of Possession effective May 31, 2013. This Order must be served upon the tenant. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court for enforcement.

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 10, 2013

Residential Tenancy Branch

