



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Orchard Ridge Mobile Home Park  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR, MNDC, CNC

### Introduction

This hearing dealt with an application by the landlord for an order of possession. The tenants filed an application seeking an order to have the notice set aside and a monetary order. The landlord participated in the teleconference, the tenants did not. The landlords gave affirmed evidence and the hearing proceeded.

### Issues to be Decided

Is either party entitled to any of the above under the Act, the regulation or tenancy agreement?

### Background and Evidence

The tenancy began on or about November 1, 2011. Rent in the amount of \$1000.00 is payable in advance on the first day of each month. At the outset of the tenancy the landlord collected from the tenant a security deposit in the amount of \$500.00. The tenant failed to pay rent in the month(s) of June and on June 5, 2013 the landlord served the tenant with a notice to end tenancy. The tenant further failed to pay rent in the month(s) of July 2013.

### Analysis

I accept the landlord's undisputed testimony and I find that the tenant was served with a notice to end tenancy for non-payment of rent. The tenant did not pay the outstanding rent within 5 days of receiving the notice and did not apply for dispute resolution to

dispute the notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the notice. Based on the above facts I find that the landlord is entitled to an order of possession. 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.

The tenants chose not to participate in the hearing or provide any documentation to be considered and as a result I dismiss their application.

### Conclusion

The landlord is granted an order of possession.

The tenants' application is dismissed in its entirety without leave to reapply.

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: July 03, 2013

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Residential Tenancy Branch