



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SCOTTIES R.V. PARK LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

OPR

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order of possession.

The landlord served the tenant with the notice of hearing on July 19, 2013 by posting the notice on his front door. The tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to an order of possession?

Background and Evidence

The tenancy started on August 18, 2005. The monthly rent is \$258.00 due in advance on the first of each month.

The tenant failed to pay rent for July 2013 and on July 03, 2013; the landlord served the tenant with a ten day notice to end tenancy for non payment of rent in the amount of \$258.00. The tenant did not dispute this amount. The tenant did not pay rent and his mobile home continues to occupy the rental pad.

The landlord is applying for an order of possession effective two days after service on the tenant.

Analysis

Based on the undisputed sworn testimony of the landlord, I accept the landlord's evidence in respect of the claim. The tenant received the notice to end tenancy for unpaid rent, on July 03, 2013 and did not pay rent within five days of receiving the notice to end tenancy nor did the tenant make application, pursuant to Section 39 to set aside the notice to end a residential tenancy, and the time to do so has expired.

In these situations, the *Manufactured Home Park Tenancy Act* provides that the tenant has been deemed to have accepted the end of the tenancy on the date set out in the Notice. Pursuant to section 48 I am issuing a formal order of possession effective two days after service on the tenant. The Order may be filed in the Supreme Court for enforcement.

Conclusion

I grant the landlord an order of possession effective two days after service on the tenant

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: August 23, 2013

Residential Tenancy Branch

