



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION
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. Both parties attended the hearing and were 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 January 01, 2010. The monthly rent is \$569.00 due in advance on the first of each month. The landlord testified that the tenant stopped paying rent in April 2013 and was served multiple notices to end tenancy, the last one on July 10, 2013. The landlord is applying for an order of possession effective on or before August 31, 2013.

Part way through the hearing by conference call, the tenant left the conference and did not return.

Analysis

Based on the sworn undisputed 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 10, 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 46 to set aside the notice to end a residential tenancy, and the time to do so has expired.

In these situations, the *Residential 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 55(2) I am issuing a formal order of possession effective on or before 1:00 p.m. on August 31, 2013. The Order may be filed in the Supreme Court for enforcement.

Conclusion

I grant the landlord an order of possession effective on or before **1:00 p.m. on August 31, 2013.**

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 28, 2013

Residential Tenancy Branch

