



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Coremarc Properties Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC, FF

Introduction

This is an application for an Order of Possession based on a Notice to End Tenancy given for cause.

Issue(s) to be Decided

Is the landlord entitled to an Order of Possession?

Background and Evidence

On April 25, 2013 the landlord served the Notice to End Tenancy for cause to the respondent which would have ended the tenancy on May 31st 2013.

The applicants have, however collected rent for the months of June 2013, July 2013, and August 2013.

They are requesting an Order of Possession based on the Notice to End Tenancy that was served on April 25, 2013.

Analysis

The Notice to End Tenancy that was served on April 25, 2013 had an effective end of tenancy date of May 31st 2013, however the landlords have collected rent for the three months following May 2013 and therefore have re-established the tenancy, and may no longer rely on the Notice to End Tenancy that was served on April 25, 2013 to end this tenancy.

The applicants must therefore serve a new Notice to End Tenancy if they wish to end this tenancy.

Conclusion

This application for an Order of Possession is dismissed, with leave to reapply after service of a new Notice to End Tenancy.

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: September 03, 2013

Residential Tenancy Branch

