



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes O, OPC, OPR

Introduction

This is an application for an Order of Possession.

The applicant testified that the respondent was served with notice of the hearing by posting on the residence door; however the respondent did not join the conference call that was set up for the hearing.

Pursuant to section 90 of the Residential Tenancy Act, documents posted on the door of the residence are deemed served 3 days after mailing and therefore it is my finding that the respondent has been served with notice of the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

Is the landlord entitled to an Order of Possession?

Background and Evidence

The Applicant testified that:

- The tenant failed to pay the August 2013 rent and therefore on August 4, 2013 a 10 day Notice to End Tenancy was posted on her door.
- The tenant did not comply with that notice or pay the outstanding rent and therefore on August 27 she applied for dispute resolution.
- It now appears that the tenant may have abandoned the rental unit, however there are still numerous belongings in the rental unit and therefore she is still requesting an Order of Possession.

Analysis

It is my finding that the landlord has shown that the tenant failed to pay the August 2013 rent and that a ten-day Notice to End Tenancy was posted on her door.

Further since the tenant has failed to comply with the notice is my finding that the landlord has the right to an Order of Possession.

Conclusion

I have issued an Order of Possession that is enforceable 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 *Residential Tenancy Act*.

Dated: September 09, 2013

Residential Tenancy Branch

