



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, FF

Introduction

This is an application filed by the Landlord for an order of possession as a result of a 1 month notice to end tenancy issued for cause and recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony. The Tenant did not submit any documentary evidence. The Landlord states that the Tenants were served with the notice of hearing package by Canada Post Registered Mail on September 17, 2013 and has submitted copies of the Customer Receipt Tracking number as confirmation. As both parties have attended and have confirmed receipt of the notice of hearing package and the Landlord's submitted documentary evidence, I am satisfied that both parties have been properly served.

Issue(s) to be Decided

Is the Landlord entitled to an order of possession?
Is the Landlord entitled to a monetary order?

Background and Evidence

This Tenancy began on February 1, 2013 on a month to month basis as shown by the submitted copy of the signed tenancy agreement. The monthly rent is \$780.00 payable on the 1st of each month and a security deposit of \$390.00 was paid on January 13, 2013.

The Landlord states that the Tenants were served with a 1 month notice to end tenancy issued for cause dated August 27, 2013 in person on the same date. The notice states an effective date of September 30, 2013 with 4 reasons for cause selected.

-Tenant or a person permitted on the property by the tenants has:
Significantly interfered with or unreasonably disturbed another occupant or the landlord.

Seriously jeopardized the health or safety or lawful right of another occupant or the landlord.

Put the landlord's property at significant risk.

-Breach of a material term of the tenancy agreement that was not corrected within a reasonable time after written notice to do so.

The Tenant confirmed in her direct testimony to receiving the 1 month notice to end tenancy issued for cause and its contents as stated by the Landlord's Agent. The Tenant also confirmed that no application has been filed to dispute the notice.

Analysis

I find that the Landlord has established a claim for an order of possession. The Tenant has confirmed receipt of the 1 month notice to end tenancy issued for cause dated August 27, 2013. The Tenant has also confirmed that no application has been filed to dispute the notice within the allowed 10 day timeframe. The Tenant is conclusively presumed to have accepted that the Tenancy was at an end. The Landlord is granted an order of possession. The Tenants must be served with the order of possession. Should the Tenants 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 Landlord is also entitled to recovery of the \$50.00 filing fee. The Landlord is granted a monetary order for \$50.00.

Conclusion

The Landlord is granted an order of possession and a monetary order for \$50.00.

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: October 25, 2013

Residential Tenancy Branch

