



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Parkbridge Lifestyle Communities Inc.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPC, FF

### Introduction

This is an application filed by the Landlord for an order of possession and recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony. 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?

### Background and Evidence

This Tenancy began on April 1, 2009 as shown by the submitted copy of the signed tenancy agreement. The monthly rent is \$710.00 payable on the 1<sup>st</sup> of each month.

Both parties confirmed that the Landlord served a 1 month notice to end tenancy issued for cause dated September 23, 2013 by Canada Post Registered Mail on September 23, 2013 to the Tenant.. The Landlord has provided a copy of the Customer Receipt Tracking Number as confirmation that the Tenant signed for the package on October 15, 2013. The notice was signed and dated by the Landlord's Agent, L.M. on September 23, 2013 and displays an effective date of October 31, 2013. The notice shows that 7 reasons for cause have been selected.

The Landlord's Agent states that the Tenant has failed to apply for dispute resolution within 10 days of receiving the notice. The Tenant and the Tenant's Agent confirmed in

their direct testimony that the notice was received on October 1, 2013 and has not filed an application for dispute resolution to dispute the notice.

### Analysis

I find based upon the undisputed testimony of both parties that the Landlord has established a claim for an order of possession. The Tenant has failed to file an application for dispute to dispute the notice that was received and is conclusively presumed to have accepted that the Tenancy is at an end. The Landlord is granted an order of possession. The Tenant must be served with the order of possession. Should the Tenant 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 a monetary order for \$50.00 for the recovery of the filing fee. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

### 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 *Manufactured Home Park Tenancy Act*.

Dated: November 26, 2013

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Residential Tenancy Branch

