



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ATIRA PRPORTY MANAGEMENT
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an order of possession based on a 1 Month Notice to End Tenancy for Cause, issued on October 7, 2013.

Although served with the Application for Dispute Resolution and Notice of Hearing in person on November 1, 2013, which was witnessed, the tenant did not appear. I find that the tenant has been duly served in accordance with the Act.

The landlord appeared gave testimony and was provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions to me.

Issue to be Decided

Is the landlord entitled to an order of possession for cause?

Background and Evidence

Based on the testimony of the landlord, I find that the tenant was served with a 1 month notice to end tenancy for cause on October 7, 2013, by posting to the door. The notice explains the tenant had ten days to dispute the notice. The notice further explains if the notice is not disputed within the ten days that the tenant is presumed to accept the notice and must move out of the rental unit by the date specified in the notice.

Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

The tenant did not apply to dispute the Notice and is therefore conclusively presumed under section 47(5) of the Act to have accepted that the tenancy ended on the effective date of the Notice.

I find that the landlord is entitled to an order of possession effective **November 30, 2013 at 1:00 pm**. A copy of this order must be served on the tenant. This order may be filed in the Supreme Court and enforced as an order of that Court.

Conclusion

The tenant failed to dispute the notice to end tenancy. The tenant is presumed under the law to have accepted that the tenancy ended on the effective date of the notice to end tenancy.

The landlord is granted an order of possession.

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: November 25, 2013

Residential Tenancy Branch

