



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Columbridge Mobile Home Park
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC FF

Introduction

This hearing dealt with the landlord's application for an order of possession pursuant to a notice to end tenancy for cause. The landlord, the tenant and an advocate for the tenant participated in the teleconference hearing.

At the outset of the hearing, the tenant stated that he had not received the landlord's application or evidence. The landlord stated that he posted the hearing package on the manufactured home door on October 24, 2013. I therefore found that the tenant was deemed served with the landlord's application and evidence, and I proceeded with the hearing. The tenant and the landlord gave testimony regarding the application. I have reviewed all testimony and other evidence. However, in this decision I only describe the evidence relevant to the issues and findings in this matter.

Issue(s) to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

On September 13, 2013 the landlord personally served the tenant with a notice to end tenancy for cause. The tenant did not apply to dispute the notice. The effective date of the notice to end tenancy was October 31, 2013. The tenant did not dispute these facts.

Analysis

Based on the undisputed evidence I find that the tenant was served with a notice to end tenancy. The tenant did not apply for dispute resolution to dispute the notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the notice. Based on the above facts I find that the landlord is entitled

to an order of possession. The landlord agreed that the order of possession could be made effective June 30, 2014.

As the landlord's application was successful, he is entitled to recovery of the \$50 filing fee for the cost of his application.

Conclusion

I grant the landlord an order of possession effective June 30, 2014. 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.

I further grant the landlord a monetary order for \$50. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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: December 3, 2013

Residential Tenancy Branch

