



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPC, MNR, MNSD, FF

### Introduction

This was an application by a landlord for an Order for Possession and a monetary Order pursuant to the Notice to End the Tenancy dated January 8, 2014 with an effective date of February 28, 2014. Only the landlord attended the application.

### Issues:

Is the landlord entitled to an Order for Possession and Monetary Order?

### Background and Evidence:

The landlord owns a trailer in a park and rented it to the tenant. The landlord testified that the tenancy regarding the trailer began on October 1, 2013 with rent in the amount of \$ 600.00 due in advance on the first day of each month. The tenant did not pay any security. The landlord's agent testified that he served the Notice to End the tenancy on January 8, 2014 by posting it to the tenant's door and the dispute resolution package by also by posting it to the door on March 4, 2014. The landlord's agent testified that the arrears from December 2013 through April 201 were \$ 2,800.00.

### Analysis:

Based on the evidence of the landlord I find that the tenant was deemed to have been personally served with a Notice to End Tenancy for non-payment of rent on January 12, 2014 by posting it to the door. I find that the application for Dispute Resolution regarding an Order for Possessions was also deemed to have been served on March 8, 2014 by posting it to the door. The tenant has not applied for arbitration 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 for possession effective two days after service on the tenant.

However I find that the landlord had not served the Application requesting a monetary Order in accordance with section 88 or 89 of the Act and I have dismissed with leave that portion of the application. I allow recovery of only the filing fee.

Conclusion:

I have granted the landlord an Order for Possession. This order may be filed in the Supreme Court and enforced as an Order of that Court. I grant the landlord an order under section 67 for filing fee of **\$ 50.00**. That part of the order may be filed in the Small Claims Court and enforced as an order of that Court. This Decision and all Orders must be served on the tenant as soon as possible. I have dismissed with leave to reapply all other applications.

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: April 07, 2014

---

Residential Tenancy Branch

