



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Atira Property Management Inc.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute codes      OPB, OPC

### Introduction

This hearing dealt with an application by the landlord for an order of possession. The hearing was conducted by conference call. The landlord's representative called in and participated in the hearing. The tenant did not appear although she was personally served with the Application for Dispute Resolution and Notice of Hearing on May 1, 2014.

### Issues

Is the landlord entitled to an order of possession?

### Background and Evidence

This tenancy began on November 12, 2012. The rent is \$375.00 due in advance on the first day of each month. The tenant paid a security deposit of \$187.50. On March 14, 2014 the landlord served the tenant with a one month Notice to End Tenancy for cause by posting it to the door of the rental unit. The tenant did not file an application to dispute the Notice to End Tenancy.

### Analysis

Section 47 of the Act requires that upon receipt of a one month Notice to End Tenancy for cause the tenant must, has the right to dispute the Notice within 10 day after it has been received by filing an Application for Dispute Resolution with the Residential Tenancy Branch. If, as in the present case, the tenant does not dispute the Notice to End Tenancy, the tenant is conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. The effective date of the Notice was April 30, 2014. And the tenant was to move out on or before that day. As of the date of this hearing, the tenant continues to occupy the rental unit. I find that the tenancy has ended pursuant to the undisputed Notice to End Tenancy dated March 14, 2014.

Conclusion

*Order of Possession* - Based on the above background, evidence and analysis I find that the landlord is entitled to an order of possession effective two days after service on the tenant. This order may be filed in the Supreme 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 *Residential Tenancy Act*.

Dated: June 19, 2014

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Residential Tenancy Branch

