



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** OPL

### **Introduction**

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order of possession pursuant to a notice to end tenancy for landlord's use of property. Both parties were represented by legal counsel and were given full opportunity to present evidence and make submissions

### **Issues to be decided**

Is the landlord entitled to an order of possession?

### **Background and Evidence**

The landlord testified that on March 20, 2014, the landlord served the tenant with a notice to end tenancy for landlord's use of property to be effective on May 31, 2014. The tenant did not dispute the notice. The landlord agreed to extend the end date of tenancy to June 15, 2014 and has applied for an order of possession effective this date.

### **Analysis**

Based on the sworn testimony and documentary evidence of both parties, I find that the tenant received the notice to end tenancy, on March 23, 2014 and did not make application, pursuant to Section 49 to set aside the notice to end a residential tenancy, and the time to do so has expired.

In these situations, the *Residential Tenancy Act* provides that the tenant has been deemed to have accepted the end of the tenancy on the date set out in the Notice. Pursuant to section 55(2) I am issuing a formal order of possession effective on or before 1:00 pm on June 15, 2014. The Order may be filed in the Supreme Court for enforcement.

**Conclusion**

I grant the landlord an order of possession effective on or before 1:00 pm on June 15, 2014.

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: May 29, 2014

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Residential Tenancy Branch

