



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, OPB, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession and a monetary order. Although served with the Application for Dispute Resolution and Notice of Hearing by personal service on June 7, 2014, the tenant did not appear.

Issue(s) to be Decided

- Is the landlord entitled to an order of possession and, if so, upon what terms?
- Is the landlord entitled to reimbursement of the filing fee paid for this application?

Background and Evidence

This month-to-month tenancy commenced August 1, 2008. The monthly rent has remained the same throughout the tenancy - \$500.00 payable on the first day of the month. The tenant paid a security deposit of \$250.00.

On April 8, 2014 the landlord issued and served the tenant with a 1 Month Notice to End Tenancy for Cause. The tenant did not file an application to dispute the notice.

Analysis

As the tenant did not file an application to dispute the notice she is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the notice. Based on that fact I find that the landlord is entitled to an order of possession.

The tenant has paid rent to July 31, 2014 so the order of possession will be effective 1:00 pm on that date.

I find that the landlord is entitled to reimbursement of the \$50.00 fee paid for this application and I order that the landlord may retain that amount from the security deposit in full satisfaction of the claim.

Conclusion

An order of possession and a monetary order have been granted in favour of the landlord.

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: July 18, 2014

Residential Tenancy Branch

