



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding British Columbia Housing Management Commission
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes O, FF

Introduction

This is an application filed by the landlord seeking an order of possession to enforce the end of a fixed term tenancy and recovery of the filing fee.

The landlord attended the hearing by conference call and gave undisputed testimony. The tenant did not attend or submit any documentary evidence. The landlord states that the tenant was served with the notice of hearing package by Canada Post Registered Mail on September 24, 2014 and has provided a copy of the Customer Receipt Tracking number as confirmation. The landlord also posted the notice of hearing package on the rental unit door on September 24, 2014 with a witness. I accept the undisputed evidence of the landlord and find that the tenant has been properly served with the notice of hearing package and the submitted documentary evidence.

Issue(s) to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

This tenancy began on May 1, 2014 on a fixed term tenancy ending on September 30, 2014 and then ends as shown by the submitted copy of the signed tenancy agreement. The monthly rent was \$526.00 payable on the 1st of each month.

The landlord states that the tenant entered into a 5 month fixed term tenancy on May 1, 2014 ending on September 30, 2014. The tenant was notified on July 31, 2014 by letter that the tenancy would be ending on September 30, 2014. The landlord states that as of the date of this hearing the tenant is still residing in the rental unit. The landlord requests an order of possession.

Analysis

I accept the undisputed evidence of the landlord and find that the landlord has established grounds for an order of possession. The tenant is in breach of a signed fixed term tenancy ending on September 30, 2014. The tenant was notified again on July 30, 2014 of the end of tenancy on September 30, 2014 and is currently still residing at the rental unit as of the date of this hearing. The landlord is granted an order of possession. This order must be served upon the tenant. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court for enforcement.

Having been successful in the application, I grant the landlord a monetary order of \$50.00 for the recovery of the filing fee. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted an order of possession and a monetary order for \$50.00.

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: November 14, 2014

Residential Tenancy Branch

