



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Greater Vic. Housing Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This hearing was convened in response to an application by the Tenant pursuant to Section 46 of the *Residential Tenancy Act* (the “Act”) for an Order cancelling a 10 day notice to end tenancy for unpaid rent (the “Notice”).

The Landlord and Tenant were each given full opportunity to be heard, to present evidence and to make submissions.

Issue(s) to be Decided

Is the Notice valid?

Background and Evidence

The following are undisputed facts: The tenancy started on May 1, 2012. Rent of \$381.00 is payable monthly on the first day of each month. The Tenant owed arrears and failed to pay rent for December 2014 and on December 5, 2014 the Landlord served the Tenant with the Notice by posting the Notice on the door. The Tenant has no reason for not paying the rent other than some medication problems and accepts responsibility for the rental arrears of \$2,716.00.

The Landlord requests an order of possession.

Analysis

Section 46 of the Act provides that a landlord may end a tenancy if rent is unpaid on any day after the day it is due, by giving notice to end the tenancy effective on a date that is not earlier than 10 days after the date the tenant receives the notice. Section 55 of the Act provides that where a tenant's application to dispute a notice to end tenancy has been dismissed at the time of the hearing and the landlord makes a request for an Order of Possession, such an Order must be granted. Based on the undisputed facts that the Tenant owes the rent as noted on the Notice, I found at the Hearing that the Notice was valid and that the Tenant was not entitled to a cancellation of the Notice. I dismissed the Tenant's application. Given the Landlord's request for an Order of Possession, I find that the Landlord is entitled to an Order of Possession.

Conclusion

I grant an Order of Possession to the Landlord. The Tenant must be served with this **Order of Possession**. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia 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: December 31, 2014

Residential Tenancy Branch

