



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes

OPC, FF

### Introduction

The landlord applies for an order of possession pursuant to a one month Notice to End Tenancy for cause delivered by serving an adult who apparently resided at the premises on October 30, 2014.

The tenant received the Notice from his roommate on November 2, 2014. He has not applied to cancel the Notice.

Sections 47 (4) and (5) of the *Residential Tenancy Act* provide:

(4) A tenant may dispute a notice under this section by making an application for dispute resolution within 10 days after the date the tenant receives the notice.

(5) If a tenant who has received a notice under this section does not make an application for dispute resolution in accordance with subsection (4), the tenant

- (a) is conclusively presumed to have accepted that the tenancy ends on the effective date of the notice, and
- (b) must vacate the rental unit by that date.

As a result, the tenant is “conclusively presumed” to have accepted the end of this tenancy. I find this tenancy ended on November 30, 2014 and that the landlord is entitled to, and I grant him, an order of possession.

I allow the landlord recovery of the \$50.00 filing fee for this application and authorize him to deduct it from the security deposit he holds.

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: January 05, 2015

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Residential Tenancy Branch

