



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Gateway Property Management Corporation
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes O, FF

Introduction

This is an application filed by the landlord for an order of possession 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 and the submitted documentary evidence by Canada Post Registered Mail on January 8, 2015. The landlord provided the Customer Receipt Tracking number in her direct testimony as confirmation that the tenant was properly served.

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 by Canada Post Registered Mail on January 8, 2015.

Issue(s) to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

This tenancy began on August 1, 2013 on a fixed term tenancy until July 31, 2014 and then thereafter on a month to month basis as shown by the submitted copy of the signed tenancy agreement. The monthly rent is \$795.00 payable on the 1st of each month and a security deposit of \$397.50 was paid on July 24, 2013.

The landlord states that the tenant gave written notice to vacate the rental unit on November 27, 2014 to move out on December 31, 2014. The landlord has submitted a copy and the original of the written notice. The landlord states that she accepted the

notice to vacate the rental unit to be effective on December 31, 2014. The landlord states that the tenant has failed to vacate the rental unit and is now still occupying the rental unit as of the date of this hearing and has not paid any rent.

The landlord seeks an order of possession to end the tenancy.

Analysis

I accept the undisputed evidence of the landlord and find that the tenant did provide written notice to vacate the rental unit on November 27, 2014 which the landlord accepted to end the tenancy on December 31, 2014.

The landlord has established a claim for 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 of British Columbia and enforced as an order of that Court.

The landlord is also entitled to recovery of the \$50.00 filing fee. I order that the landlord be granted a monetary order under section 67 of the Act. 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.
The landlord is granted 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: January 28, 2015

Residential Tenancy Branch

