



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** OPL

### **Introduction**

This is the Landlords' application for an Order of Possession.

The Landlords gave affirmed testimony at the Hearing.

The Landlords' legal counsel stated that the Notice of Hearing documents were mailed to the Tenant, via registered mail, at the rental unit. The Landlords provided a copy of the registered mail receipt and tracking numbers for the registered documents. I am satisfied that the Tenant was duly served in accordance with the provisions of Section 89 of the Act. Service in this manner is deemed to be effective 5 days after mailing, in this case, May 9, 2015.

Despite being served with the Notice of Hearing documents, the Tenant did not sign into the teleconference and the Hearing proceeded in her absence.

### **Issues to be Decided**

- Are the Landlords entitled to an Order of Possession?

### **Background and Evidence**

On March 20, 2015, the Tenant was served with a 2 Month Notice to End Tenancy for Landlord's Use, by handing the document to the Tenant.

The Landlords provided a copy of the tenancy agreement and the Notice to End Tenancy in evidence.

The Tenant has not filed an Application for Dispute Resolution seeking to cancel the Notice to End Tenancy.

### **Analysis**

I accept that the Tenant received the Notice to End Tenancy on March 20, 2015. The Tenant did not file for dispute resolution within 15 days of receiving the Notice. Therefore, pursuant to Section 49(6) of the Act, the Tenant is conclusively presumed to have accepted that the tenancy ends on May 31, 2015. I find that the Landlord is entitled to an Order of Possession.

### **Conclusion**

I hereby grant the Landlords an Order of Possession effective 1:00 p.m., May 31, 2015, for service upon the Tenant. This 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: May 26, 2015

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Residential Tenancy Branch

