



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPC, OPB

### Introduction

This hearing dealt with an application by the landlord for an order of possession. Despite having been served with the application for dispute resolution and notice of hearing sent via registered letter on May 27, the tenant did not participate in the conference call hearing.

### Issue to be Decided

Is the landlord entitled to an order of possession?

### Background and Evidence

The landlord's undisputed testimony is as follows. On March 5, 2015, the landlord served on the tenant a one month notice to end for cause (the "Notice") by sending the Notice to the tenant via registered mail. The landlord provided a copy of the registered mail receipt and a printout from the Canada Post website showing that the tenant collected the Notice on March 10. The tenant did not file an application for dispute resolution to dispute the Notice.

### Analysis

Section 47(5) of the Act provides that when a tenant receives a one month notice to end tenancy for cause, if they do not file an application for dispute resolution to dispute the notice within 10 days, they are conclusively presumed to have accepted that the tenancy ended on the effective date of the notice. I find that the tenant received the Notice on March 10. She did not file an application to dispute the Notice within 10 days and I therefore find that she is conclusively presumed to have accepted the end of the tenancy.

I grant the landlord an order of possession. The tenant must be served with the order. Should the tenant fail to comply with the order, it may be filed in the Supreme Court and enforced as an order of that Court.

Conclusion

The landlord is granted an order of possession.

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: July 10, 2015

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Residential Tenancy Branch

