



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 1027110 BC LTD, VANCOUVER EVICTION SERVICES  
and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes**      ET, OP, FF

### **Introduction**

This hearing was convened in response to an application by the landlord for an Order ending the tenancy early and an Order of Possession. The hearing was conducted by conference call.

The landlord testified that the tenant still resides on manufactured home site and that they served the tenant with the Notice of Hearing sent on July 31, 2015. I find that the tenant was served with the application for dispute resolution and Notice of Hearing in accordance with Section 82 of the Act; however, they did not call into the conference call hearing and did not participate in the hearing.

### **Issue(s) to be Decided**

Is the landlord entitled to an Order of Possession?

### **Background and Evidence**

On July 24, 2015 the tenant was served with a One month Notice to End Tenancy for Cause, by posting it to the tenant's door. The tenant has not / did not file an application to dispute the Notice to End Tenancy within the 10 days permitted to do so under the Act and as stipulated within the Notice to End.

The landlord provided a copy of the Notice to End dated July 24, 2015 with an effective date of August 31, 2015, and I find the Notice is valid.

### **Analysis**

**Section 47 of the Act** provides that if a tenant does not apply to dispute a One Month Notice to End Tenancy for Cause within 10 days after receiving it, the tenant is conclusively presumed to have accepted that the tenancy ended on the effective date of

the Notice and **must** vacate the rental unit by that date. The Notice to End Tenancy required the tenant to vacate the rental unit by August 31, 2015.

As a result of the above, I find that the landlord is entitled to an **Order of Possession**. As the effective date of the Notice to End has passed, I find the landlord's Order of Possession will be effective 2 days after the day the tenant is served the Order.

As the landlord has been successful in their application I grant them recovery of the filing fee.

### **Conclusion**

**I grant an Order of Possession** to the landlord **effective 2 days from the day it is served on the tenant**. 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.

**I grant** the landlord an Order under Section 67 of the Act for the amount of **\$50.00** in respect to their filing fee. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

**This Decision is final and binding on both parties.**

*This Decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Manufactured Home Park Tenancy Act.*

Dated: September 01, 2015

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Residential Tenancy Branch

