



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Metro Vancouver Housing Corporation
and [tenant name suppressed to protect privacy]

DECISION

Codes: OPC, FF

Introduction:

This was an application by the landlord for an Order for Possession, pursuant to a Notice to End a Tenancy for Cause dated July 22, 2015 and a Monetary Order representing the filing fee. Only the landlord attended the application.

Issues:

Is the landlord entitled to an Order for Possession and Monetary Order?

Background and Evidence:

The landlord's agent testified that the tenancy began on October 1, 2014 with rent in the amount of \$ 500.00 due in advance on the first day of each month. The tenant paid a security deposit of \$ 490.50 on September 26, 2014. The landlord's agent testified that she served the Notice to End the tenancy on July 22, 2015 by posting it to the tenant's door and the dispute resolution package by sending it to the tenant by registered mail on August 21, 2015. The landlord's agent testified that the tenant had been consuming marijuana causing a disturbance to other tenants and had also caused a disturbance by having many guests late at night. The tenant had not disputed the notice and had not attended this hearing.

Analysis:

Based on the evidence of the landlord I find that the tenant was deemed to have been personally served with a Notice to End Tenancy for Cause on July 25, 2015 by posting it to the door on July 22, 2015. Based on the evidence of the landlord and with reference

to Canada Post's web site, I find that the application for Dispute Resolution was served on August 24, 2105 by registered mail. The tenant has not applied for arbitration to dispute the Notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. Based on the above facts I find that the landlord is entitled to an order for possession effective two days after service on the tenant. I allow the landlord to recover the filing fee which the landlord may deduct from the security deposit.

Conclusion:

I have granted the landlord an Order for Possession. This order may be filed in the Supreme Court and enforced as an Order of that Court. I award the landlord the sum of \$ 50.00 representing the filing fee for this application. The landlord may enforce that Order in the Small Claims Court of BC or retain that amount from the security deposit. This Decision and all Orders must be served on the tenant as soon as possible. The landlord is cautioned to deal with the security deposit in accordance with section 38 of the Act.

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: September 28, 2015

Residential Tenancy Branch

