



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LANGLEY LIONS SENIOR CITIZENS HOUSING SOCIETY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC, MNSD, CNC

Introduction

In the first application the landlord seeks an order of possession pursuant to a one month Notice to End Tenancy for cause dated July 30, 2015 and for authorization to keep deposit money for some unspecified claim.

In the second application the tenant seeks to cancel the Notice and for an extension of time to make his application.

The tenant did not attend the hearing.

Issue(s) to be Decided

Has the tenant been duly served with the landlord's application? Is the landlord entitled to any relief?

Background and Evidence

According to the landlord's representative Ms. D, the rental unit is a bachelor apartment. The tenancy started in March 2013. The monthly rent is \$320.00. The landlord holds a \$172.50 security deposit.

Ms. D. acknowledges receipt of the tenant's application.

She was unable to prove service of the landlord's application on the tenant.

Analysis

The tenant's application must be dismissed due to his nonattendance.

The landlord's application must be dismissed due to its failure to prove service, with leave to re-apply.

Section 55 of the *Residential Tenancy Act* permits a landlord to make a verbal request for an order of possession at the hearing at which a Notice to End Tenancy has been challenged by a tenant. Ms. D. makes that request on behalf of the landlord.

In the circumstances, I find that the tenancy ended on August 31, 2015 as a result of the Notice to End Tenancy and that the landlord is entitled to an order of possession.

As the tenant has paid money to stay for the month of October, the order of possession will be effective October 31, 2015.

Conclusion

The tenant's application is dismissed.

The landlord's application is dismissed with leave to re-apply.

The landlord will have an order of possession effective October 31, 2015.

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: October 20, 2015

Residential Tenancy Branch

