



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, MNR, MNSD, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order authorizing them to retain the security deposit. Both parties were represented at the hearing with the tenant's daughter, DP, representing the tenant.

At the hearing, the landlord withdrew their monetary claim and their claim for recovery of the filing fee. The hearing proceeded to address solely the claim for an order of possession.

Issue to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

The facts are not in dispute. The tenancy began on July 9, 2007. On July 19, 2015, the landlord served on the tenant a one month notice to end tenancy for cause (the "Notice"). The tenant did not apply for dispute resolution to dispute the Notice.

Analysis

Section 47(5) provides that when a tenant does not dispute a notice to end tenancy for cause, they are conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. I therefore find that the landlord is entitled to an order of possession. The tenant must be served with this order and should he not comply with the order, it may be filed in the Supreme Court and enforced as an order of that Court. The parties agreed that the order should be effective on November 30, 2015.

Conclusion

The landlord is granted an order of possession effective November 30, 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 21, 2015

Residential Tenancy Branch

