



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding REGENT HOTEL
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC, FF

Introduction

The landlord applies for an order of possession pursuant to a one month Notice to End Tenancy for cause dated and served August 31, 2015.

The tenant did not attend the hearing within ten minutes after its scheduled start time.

Issue(s) to be Decided

Does the relevant evidence presented during the hearing show on a balance of probabilities that the tenant has been served with the application and notice of hearing? Does it show that the tenancy has ended as a result of the Notice, entitling the landlord to an order of possession?

Background and Evidence

The rental unit is a “single room occupancy” hotel room. According to Mr. M. for the landlord, the tenancy started in March, 2015, the monthly rent is \$450.00, due on the first of each month and the landlord holds a \$225.00 security deposit.

A “Proof of Service” document shows the Notice was personally served on the tenant on August 31, 2015.

Mr. M. shows that the application and notice of hearing were served on the tenant by registered mail. He produces the tenant’s signed statement that he received the package on October 19, 2015.

The tenant continues to occupy the rental unit.

Analysis

I find that the tenant was duly served with the Notice to End Tenancy and with the application and notice of hearing for today.

As a result of the Notice, by operation of s. 47 of the *Residential Tenancy Act*, this tenancy ended on September 30, 2015 and the landlord is entitled to an order of possession.

I grant the landlord recovery of the \$50.00 filing fee for this application and authorize it to deduct that amount from the security deposit it holds, in full satisfaction.

Conclusion

The application is allowed as presented.

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: November 27, 2015

Residential Tenancy Branch

