



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Kenstone Hornby LP  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPE

### Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order of Possession - Section 55.

The Landlord and Tenant were each given full opportunity under oath to be heard, to present evidence and to make submissions.

### Issue(s) to be Decided

Is the Landlord entitled to an order of possession?

### Background and Evidence

The tenancy started in July 2013. The Tenant was provided the unit as part of his employment with the Landlord. Rent of \$300.00 is payable monthly. No security deposit was collected by the Landlord. On February 29, 2016 the Landlord served the Tenant in person with a one month notice to end tenancy for cause (the “Notice”). The reason for the Notice is that the Tenant’s employment with the Landlord ended and a new manager requires the unit. The Tenant has not disputed the Notice, has not moved out of the unit, and is currently in rental arrears.

### Analysis

Section 48 of the Act provides that upon receipt of a one month notice to end tenancy the tenant must, within ten days, dispute the notice by filing an application for dispute

resolution with the Residential Tenancy Branch. If the tenant does not, the tenant is conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. As the Tenant has not disputed the Notice and as the Tenant has not moved out of the unit I find that the Landlord is entitled to an order of possession.

Conclusion

**I grant** an Order of Possession to the Landlord. 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.

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: May 16, 2016

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Residential Tenancy Branch