



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Superman Property Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC

Introduction

This hearing dealt with an application by the landlord for an order of possession, pursuant to a notice to end tenancy for cause dated June 2, 2016.

The landlord participated in the teleconference hearing, but the tenant did not call into the hearing. The landlord stated that she personally served the tenant with the application for dispute resolution and notice of hearing on June 22, 2016. I accepted the landlord's evidence that the tenant was served with notice of the hearing, and I proceeded with the hearing in the absence of the tenant.

Issue(s) to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

The tenancy began on February 1, 2014. On June 2, 2016 the landlord personally served the tenant with a notice to end tenancy for cause. The tenant did not apply to dispute the notice.

The Landlord's evidence included the following:

- a copy of a Notice to End Tenancy for Cause, issued on June 2, 2016, with an effective vacancy date of July 2, 2016;
- testimony that the landlord personally served the tenant with the notice on June 2, 2016; and
- a copy of the Landlord's Application for Dispute Resolution, filed June 15, 2016.

Analysis

I have reviewed all evidence and I accept that the tenant was served with the notice to end tenancy as declared by the landlord. I am satisfied with the form and content of the notice to end tenancy.

I accept the evidence before me that the tenant did not apply to cancel the notice. I find that the tenant is conclusively presumed under section 46(5) of the Act to have accepted that the tenancy will end on July 31, 2016, the corrected effective date of the notice. The landlord is therefore entitled to an order of possession.

Conclusion

I grant the landlord an order of possession July 31, 2016. The tenant must be served with the 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: July 22, 2016

Residential Tenancy Branch

