



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding DOLE ENTERPRISES LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, O, OPC, FF

Introduction

In the first application the tenant seeks to cancel a one month Notice to End Tenancy for cause dated and received June 30, 2016 and for “other”, unspecified relief.

In the second application the landlord seeks an order of possession pursuant to the same Notice.

The tenant did not attend the hearing within ten minutes after its scheduled start time. The landlord's representative Ms. D.S. attended and was ready to proceed. The tenant's application is therefore dismissed without leave to re-apply.

Ms. D.S. testifies that the landlord's application and notice of hearing were served on the tenant by registered mail (Canada Post tracking number recorded on cover page of this decision) which was returned to the landlord, unclaimed. Canada Post records show that the mail was sent July 14, 2016 but returned as “unclaimed by recipient.”

On this evidence I find that the tenant was duly served with the application, in accordance with s. 89 of the *Residential Tenancy Act* (the “Act”).

As a result of the operation of s. 47 of the *Act* the Notice has caused this tenancy to end July 31, 2016 and the landlord is entitled to an order of possession.

I award the landlord recover of the \$100.00 filing paid for its application and I authorize the landlord to recover that amount from the \$400.00 security deposit it holds, in full satisfaction of the filing fee.

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: August 24, 2016

Residential Tenancy Branch

