



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, FF

Introduction

The landlord applies for an order of possession pursuant to a one month Notice to End Tenancy dated June 22, 2016.

The tenant did not attend the hearing within 40 minutes after its scheduled start time.

The landlord's property manager Ms. C.M. testifies that she served the tenant with the application for dispute resolution and the notice of hearing by serving the tenant's adult brother in law at the site. She testifies that the man apparently resides with the tenant there though the tenant is temporarily away.

This method of service is in accordance with the service provisions of the *Manufactured Home Park Tenancy Act* (the "Act") and I find that the tenant has been duly served.

The landlord testifies that he served the tenant with the Notice to End Tenancy on June 22, 2016 by leaving it with the same man at the site. Accordingly, I find that the Notice has been duly served.

The tenant has not applied to cancel the Notice. As a result, by operation of s. 40(5) of the *Act*, this tenancy ended on July 31, 2016 and I issue the landlord an order of possession.

The landlord is entitled to recover the \$100.00 filing fee for this application. There will be a monetary order against the tenant for that amount.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: August 23, 2016

Residential Tenancy Branch

