



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding JAMESON E.18TH & ST.GEORGES LP  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPL

### Introduction

Pursuant to section 58 of the *Residential Tenancy Act* ("Act"), I was designated to hear an application regarding the above-noted tenancy. The landlord applied for:

- an Order of Possession, pursuant to section 55; and

The hearing was conducted via teleconference and was attended by the landlord. No one was in attendance on behalf of the tenant. The landlord submitted documentary evidence that the tenant was served notice of this application and this hearing by registered mail on February 21, 2017. Canada Post tracking information was submitted in the landlord's evidence showing that the tenant signed that he received the package on February 24, 2017. Based on the submissions of the landlord, I find the tenant was duly served notice of this proceeding on February 24, 2017, therefore, I continued in the absence of the tenant.

### Issues(s) to be Decided

Is the landlord entitled to an Order of Possession pursuant to a Two Month Notice to End Tenancy for Landlords Use of Property?

### Background and Evidence

The tenancy began on or about April 1, 2010. Rent in the amount of \$1005.00 is payable in advance on the first day of each month. At the outset of the tenancy the tenant paid a security deposit of \$450.00.

The landlord issued a Two Month Notice to End Tenancy for Landlords Use of Property on January 16, 2017 for the following reason:

- *The landlord has all necessary permits and approvals required by law to demolish the rental unit, or renovate or repair the rental unit in a manner that requires the rental unit to be vacant.*

The landlord testified that the property is going to be demolished and that they are assisting the tenant in relocating.

### Analysis

The landlord submitted documentary evidence to support the issuance of the notice.

Section 52 of the *Act* reads in part as follows:

52     *In order to be effective, a notice to end tenancy must be in writing and must...*

- (a) be signed and dated by the landlord or tenant giving the notice,*
- (b) give the address of the rental unit,*
- (c) state the effective date of the notice,*
- (d) except for a notice under section 45(1) or (2) [tenant's notice], state the grounds for ending the tenancy, and*
- (e) when given by a landlord, be in the approved form.*

I find that the notice to end tenancy meets the requirements as noted above and therefore the landlord is entitled to an order of possession pursuant to Section 55 of the *Act*. The order must be served on the tenant.

### Conclusion

The landlord is granted an order of possession. The notice to end tenancy is in full effect and force. The tenancy is terminated.

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: March 20, 2017

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Residential Tenancy Branch