



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding KAMC. WOO & SONS  
and [tenant name suppressed to protect privacy]

## **DECISION**

### **Dispute Codes**

OPC

### **Introduction**

This is the Landlord's Application for Dispute Resolution seeking an Order of Possession.

The Landlord's agent DW gave affirmed testimony at the Hearing.

DW testified that he hand delivered the Notice of Hearing documents to the Tenant at the rental unit on March 27, 2017, at 1:00 p.m.

Based on DW's affirmed testimony, I am satisfied that the Tenant was duly served in the Notice of Hearing. This matter was scheduled to be heard by teleconference at 9:00 a.m. on April 28, 2017. The Tenant did not sign into the teleconference, which remained open for 10 minutes. The Hearing proceeded in his absence.

### **Issue(s) to be Decided**

Is the Landlord entitled to an Order of Possession?

### **Background and Evidence**

DW gave the following undisputed affirmed testimony:

1. Rent is \$375.00 per month, due on the 1<sup>st</sup> day of each month.
2. DW hand delivered a Notice to End Tenancy for Cause to the Tenant at the rental unit on March 1, 2017, at 5:55 p.m.

A copy of the Notice to End Tenancy for Cause was provided in evidence.

### **Analysis**

I find that the Notice to End Tenancy for Cause issued March 1, 2017 (the "Notice"), complies with Section 52 of the Act.

When a tenant is served with a notice to end a tenancy for cause, the tenant has 10 days to make an Application for Dispute Resolution to dispute the notice. There is no evidence that the Tenant made an Application to dispute the Notice. Therefore, I find that the Tenant is conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice, pursuant to the provisions of Section 47 of the Act.

I find that the effective date of the Notice is April 30, 2017, and that the Landlord is entitled to an Order of Possession for that date.

### **Conclusion**

I hereby provide the Landlord with an Order of Possession effective **1:00 p.m., April 30, 2017**. The Landlord must serve the Tenant with this Order, which 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: April 28, 2017

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Residential Tenancy Branch