



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Mirae Investment Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

CNR

Introduction

This is the Tenant's Application for Dispute Resolution seeking to cancel a Notice to End Tenancy for Unpaid Rent issued April 7, 2017 (the "Notice").

This matter was scheduled to be heard by teleconference on May 24, 2017, at 9:30 a.m. The Landlord's agents signed into the teleconference and were ready to proceed. The teleconference remained open for 15 minutes; however, the Tenant did not sign into the teleconference. Therefore, the Tenant's Application is **dismissed without leave to reapply**.

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

YL stated that the correct name of the Landlord is given on the Notice. Therefore, I amended the Tenant's Application to reflect the correct spelling.

Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession?

Background and Evidence

YL testified that the Tenant remains in possession of the rental site and that he has not paid the outstanding rent to the Landlord.

YL testified that monthly rent is due on the 1st day of each month and that the Notice was posted to the Tenant's door on April 8, 2017.

Analysis

Based on YL's undisputed affirmed testimony, I find that the Notice is a valid notice to end the tenancy. Pursuant to the provisions of Section 83 of the Act, I find that the Tenant is deemed to have received the Notice on April 11, 2017 (3 days after posting the Notice to his door), and that the Tenant is overholding.

Further to the provisions of Section 48 of the Act, I hereby provide the Landlord with an Order of Possession.

Conclusion

The Tenant's Application is **dismissed without leave to reapply**.

The Landlord is hereby provided with an Order of Possession **effective 2 days after service of the Order upon the Tenant**. This Order may be filed in the Supreme Court of British Columbia for enforcement.

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: May 24, 2017

Residential Tenancy Branch