



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC

Introduction

The landlord applies for an order of possession pursuant to a one month Notice to End Tenancy for cause dated March 26, 2017.

Neither tenant attended for the hearing of this matter within 15 minutes after its scheduled start time. Ms. L.S. for the landlord showed that each tenant was served with the application and notice of hearing by registered mail sent May 9, 2017 to the dispute address where the tenant Ms. D.B. continues to reside. Canada Post records for each mailing (tracking numbers shown on cover page of this decision) disclose that both items went “unclaimed by recipient.”

A party may not avoid the process by declining to retrieve registered mail. I find that the tenant Ms. D.B. has been duly served in accordance with s. 88 of the *Residential Tenancy Act* (the “Act”) and service on her alone is sufficient on an application of this nature.

Ms. L.S. testifies that the one month Notice was also served on the tenants by a single registered mail. Canada Post records show that mailing to have gone “unclaimed by recipient.” I find the Notice was duly served.

The tenants have not applied to cancel the Notice and so, by operation of s. 47 of the *Act*, this tenancy ended on May 25, 2017 and the landlord is entitled to an order of possession. The landlord has received and accepted rent or occupation rent for the period May 25 to June 24, 2017 and so the order of possession will require the tenants to vacate the premises by one o’clock in the afternoon on June 24, 2017.

There is no claim for recovery of any 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: June 09, 2017

Residential Tenancy Branch