



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding MIRAE INVESTEMENT LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

OPR

Introduction

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for an Order of Possession.

I accept the landlord's evidence that despite the tenant having been served with the application for dispute resolution and notice of hearing by *registered mail* and also *attaching it to the tenant's door*, in accordance with the Act the tenant did not participate in the conference call hearing. The landlord entered into written evidence copies of the tracking slips, including the Canada Post Tracking Numbers. In accordance with sections 89 and 90 the Act, I am satisfied the tenants were served with the landlord's dispute resolution hearing package.

The landlord was given full opportunity to be heard, to present evidence and to make submissions.

Issue(s) to be Decided

Is the notice to end tenancy valid?

Is the landlord entitled to an Order of Possession?

Background and Evidence

The tenancy began in November 2014. Rent in the amount of \$900.00 is payable in advance on the first day of each month. The tenant has failed to pay rent since April 2016 and on May 11, 2017 the landlord served the tenant with a notice to end tenancy for non-payment of rent for the aggregate amount of arrears exceeding \$11,000.00. The tenant has not satisfied any of the arrears stated on the notice to end.

Analysis

Based on the landlord's evidence I find that the tenant was served with a notice to end tenancy for non-payment of rent and I find the notice to be valid. The tenant has not paid the outstanding rent and has not applied for Dispute Resolution to dispute the notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the 10 Day Notice to End, May 24, 2017.

Based on the above facts I find that the landlord is entitled to an Order of Possession.

Conclusion

The landlord's application is granted.

I grant an Order of Possession to the landlord **effective 2 days** from the day it is served on the tenant. The tenant must be served with this Order of Possession. Should the tenant fail to comply with the Order, the Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

This Decision is final and binding.

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: July 17, 2017

Residential Tenancy Branch