



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** OPC

### **Introduction**

This hearing was scheduled in response to the landlord's application for an order of possession for cause. The landlord's agent attended and gave affirmed testimony.

Despite service of the application for dispute resolution and notice of hearing (the "hearing package") by way of registered mail, the tenant did not appear. Evidence submitted by the landlord's agent includes the Canada Post tracking number for the registered mail.

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

Is the landlord entitled to an order of possession?

### **Background and Evidence**

The landlord testified that the tenancy started in December 2014. The monthly rent is \$870.00 payable in advance on the last day of the preceding month.

The landlord served the tenant with a 1 month notice to end tenancy for cause dated September 27, 2017. The notice was served by posting the notice on the door of the rental unit in the presence of a witness. The landlord filed proof of service of the one month notice to end tenancy for cause.

There is no evidence that the tenant filed an application to dispute the notice.

### **Analysis**

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord's agent, I find that the tenant was served with a 1 month notice to end tenancy for cause dated September 27, 2017. The tenant did not apply to dispute the notice within the 10 day period available to him for doing so. The tenant is therefore conclusively presumed under section 47(5) of the Act to have accepted that the tenancy ended on the effective date of the notice. Accordingly, I find that the landlord has established entitlement to an **order of possession**.

I hereby issue an **order of possession** in favour of the landlord effective not later than **two (2) days** after service on the tenant. This order must be served on the tenant. 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.

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca)

### **Conclusion**

I grant the landlord an order of possession effective two days after service on the tenant.

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: January 23, 2018

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Residential Tenancy Branch