



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LOMBARDY MANAGEMENT LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR

Introduction

The landlord applies for an order of possession pursuant to a ten day Notice to End Tenancy for unpaid rent dated March 7, 2018

The respondent tenant did not attend the hearing within ten minutes after its scheduled start time at 1:00 p.m. on April 20, 2018. The teleconference hearing connection remained open during that time in order to enable the parties to call into the teleconference hearing. The call-in numbers and participant codes provided in the Notice of Hearing were confirmed as correct. The teleconference system audio console confirmed that the landlord and this arbitrator were the only ones who had called into this teleconference during that period. The applicant landlord attended the hearing and was given a full opportunity to be heard, to present sworn testimony/affirmed testimony, to make submissions and to call witnesses.

Ms. H. for the landlord testifies that that the tenant was served with this application by registered mail (Canada Post tracking number shown on cover page of this decision). Canada Post records show that the mail was sent March 28, 2018 and went “unclaimed by recipient.”

By operation of s. 90 of the *Residential Tenancy Act* (the “*Act*”) such mail is deemed to have been received by the addressee five days after its mailing. I find that the tenant has been duly served in accordance with the *Act*.

Ms. H. testifies that the ten day Notice to End Tenancy was attached to the door of the tenant’s manufactured home on March 7, 2018 and that the tenant has not paid the outstanding rent for February and March, as demanded in the Notice.

As a result, by operation of s. 46 of the *Act* this tenancy ended on March 20, 2018 and the landlord is entitled to an order of possession.

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 *Manufactured Home Park Tenancy Act*.

Dated: April 20, 2018

Residential Tenancy Branch