



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 5, 2018.

The respondent tenant did not attend the hearing within ten minutes after its scheduled start time at 1:00 o'clock p.m. on April 23, 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's representative and this arbitrator were the only ones who had called into this teleconference during that period.

The applicant's representative 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 the application for dispute resolution and notice of this hearing were served on the tenant by registered mail (Canada Post tracking number recorded on cover page of this decision). Canada Post records show that the mail was sent March 28, 2018 and went "unclaimed by recipient." On this evidence I find that the tenant has been duly served with the application and notice of hearing in accordance with ss. 89 and 90 of the *Residential Tenancy Act* (the "Act").

Ms. H. reports that the rental unit is a manufactured home in a manufactured home park and that the tenant has not been seen around the park since he paid the February rent.

On Ms. H.'s undisputed evidence I find that the tenant failed to pay March rent, was served with this ten day Notice and failed to either dispute the Notice or pay the amount demanded within five days after receipt. As a result, by operation of s. 46 of the *Act*, this tenancy ended on March 18, 2018 and the landlord will have an order of possession.

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: April 29, 2018

Residential Tenancy Branch