



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC

The Application for Dispute Resolution filed by the landlord makes seeks an Order of Possession for cause.

The tenant(s) failed to appear at the scheduled start of the hearing which was 10:30 a.m. on May 30, 2018. Two representatives of the landlord were present and ready to proceed. I left the teleconference hearing connection open and did not start the hearing until 10 minutes after the scheduled start time in order to enable the tenant to call in. The tenants failed to appear. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I then proceeded with the hearing. The representative of the landlord was given a full opportunity to present affirmed testimony, to make submissions and to call witnesses. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the one month Notice to End Tenancy was personally served on the Tenant on February 28, 2018. Further I find that the Application for Dispute Resolution and Notice of Dispute Resolution Hearing was personally served on the Tenant on April 5, 2018. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided:

The issue to be decided is whether the landlord is entitled to an Order for Possession based on a one month Notice to End Tenancy dated February 28, 2018 and setting the end of tenancy for March 31, 2018?

Background and Evidence:

The tenancy began on September 1, 2012. The present rent is \$375 per month payable in advance on the first day of each month. The tenant did not pay a security deposit as it was not required by the landlord.

Analysis - Order of Possession:

I determined the landlord was entitled to an Order for Possession. The landlord served the one month Notice to End Tenancy on the Tenant on February 28, 2018 which set

the end of tenancy for March 31, 2018. The Tenant(s) has not made an application to set aside the Notice to End Tenancy and the time to do so has expired. In such situations the Residential Tenancy Act provides the tenant is conclusively presumed to have accepted that the tenancy ends on the effective date of the notice, and must vacate the rental unit by that date. Accordingly, I granted the landlord an Order for Possession on 2 days notice.

The tenant must be served with this Order as soon as possible. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement.

This decision is final and binding on both parties.

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: May 30, 2018

Residential Tenancy Branch