



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding TRLG ENTERPRISES 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.

The tenant Mr. B.G. passed away about six years ago, no one acting as his representative attended the hearing within ten minutes after its scheduled start time at 11:00 a.m. on September 7, 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 Ms. F. and this arbitrator were the only ones who had called into this teleconference during that period.

It is apparent that the proper respondent is the estate of the late tenant and I amend the style of cause accordingly.

Ms. F. for the landlord testifies that the ten day Notice was attached to the door of the late tenant's manufactured home on the site on June 2, 2018 and that the rent demanded in the Notice has not been paid.

She says the tenant passed away about six years ago and since then no one has resided in the home but the rent has continued to be paid up until last May. She says the rent has been paid by Ms. M.G., the late tenant's ex-wife, who, Ms. F. says, is in charge of the estate.

Ms. F. says that though Ms. M.G. has been paying the rent, she has not provided any postal address or provided any document that might indicate her postal address.

The landlord served this application on the late tenant by registered mail to the late tenant at the site's postal address and to Ms. M.G. addressed to the site's postal address as well (Canada Post tracking numbers shown on cover page of this decision).

Canada Post records show that both items of mail were returned "unclaimed by recipient."

On this evidence I find that the estate of the late tenant has been duly served.

The ten day Notice has resulted in this tenancy ending on June 15, 2018 and the landlord is entitled to the order of possession sought..

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: September 07, 2018

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Residential Tenancy Branch