



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: OPR

### **Introduction**

The Application for Dispute Resolution filed by the landlord seeks an Order for Possession for non payment of rent.

The tenant(s) failed to appear at the scheduled start of the hearing which was 11:00 a.m. on November 6, 2018. The landlord was present and ready to proceed. I left the teleconference hearing connection open and did not start the hearing until 10 minutes after the schedule start time in order to enable the tenant to call in. The tenant(s) 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 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 the hearing a decision has been reached. All of the evidence was carefully considered.

I find that the 10 day Notice to End Tenancy was served on the Tenant by mailing, by registered mail to where the Tenant resides on August 13, 2018. Further I find that the Application for Dispute Resolution and Notice of Dispute Resolution Hearing was served on the Tenant by mailing, by registered mail to where the Tenant resides on September 28, 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?

### **Background and Evidence:**

The parties entered into a tenancy agreement about 2 years ago. The rent is \$1050 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit of \$500 at the start of the tenancy.

The Tenant failed to pay the rent for the months of May 2018 (\$50 is owed), June 2018 (\$250 is owed), July 2018 (\$1050 is owed), August 2018 (\$1050 is owed), October 2018 (\$1050 is owed) and November 2018 (\$1050 is owed).

The landlord testified it appears the Tenant may have abandoned the rental unit although some of her belongings remain.

Analysis - Order of Possession:

I determined the landlord was entitled to an Order for Possession. There is outstanding rent. The Tenant 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 the 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: November 06, 2018

---

Residential Tenancy Branch