



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, OPC

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

The tenant(s) failed to appear at the scheduled start of the hearing which was 9:30 a.m. on July 16, 2019. 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 scheduled 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 one month Notice to End Tenancy was personally served on the Tenants on April 26, 2019. I find that the 10 day Notice to End Tenancy was personally served on the Tenants on June 7, 2019. Further I find that the Application for Dispute Resolution and Notice of Dispute Resolution Hearing was sufficiently served on the tenants. 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?

Analysis - Order of Possession:

The landlord testified the tenants have failed to pay the rent for the last two months and have caused significant damage to the rental unit. The tenants have vacated the rental unit. The landlord requested an Order of Possession.

I determined the landlord was entitled to an Order for Possession. The Tenant(s) have not made an application to set aside the one month Notice to End Tenancy and the 10 day Notice to End Tenancy and the times to do so have 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 tenants 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: July 16, 2019

Residential Tenancy Branch