



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR. FF

Introduction

The landlord applies for an order of possession pursuant to a ten day Notice to End Tenancy dated August 2, 2019, given for non-payment of \$2000.00 rent due August 1. She also seeks a monetary award for that unpaid rent.

Neither of the respondent tenants attended the hearing within twenty five minutes after its scheduled start time at 9:30 a.m. on October 17, 2019. 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 and this arbitrator were the only ones who had called into this teleconference during that period.

The landlord demonstrated that each tenant had been served with the application and notice of dispute resolution proceeding by registered mail (tracking numbers shown on cover page of this decision) sent to the rental unit where they continue to reside. Canada Post records show that both mail items went “unclaimed by recipient” and were returned to the landlord.

I find that both tenants were duly served with the application. A party cannot avoid this process by declining to receive registered mail.

The landlord shows that she served the tenants with the ten day Notice by registered mail sent August 2 (tracking number also shown on cover page). Canada Post records show that mail was “unclaimed by recipient.” She testifies that the tenants have not vacated the rental unit nor have they paid any money since the Notice was given.

On this evidence I find that this tenancy ended on August 15, 2019 as a result of the ten day Notice and by operation of s. 46 of the *Residential Tenancy Act*. The landlord will have an order of possession.

I award the landlord \$2000.00 for unpaid August 2019 rent, plus recovery of the \$100.00 filing fee for this application. She will have a monetary order against the tenants in the amount of \$2100.00.

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: October 17, 2019

Residential Tenancy Branch