



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, FF

Introduction, Preliminary and Procedural Matters-

This hearing dealt with the landlord's application for dispute resolution under the Residential Tenancy Act (Act) for:

- an order of possession for the rental unit pursuant to a One Month Notice to End Tenancy for Cause (Notice) under section 55 of the Act; and
- recovery of the filing fee.

The landlord's agent (landlord) and the tenant's agent (tenant) attended, the hearing process was explained, and they were given an opportunity to ask questions about the hearing process.

Thereafter both parties were provided the opportunity to present their evidence orally and to refer to relevant documentary evidence submitted prior to the hearing, and make submissions to me.

Near the beginning of the hearing, the tenant, who assists with housing needs in a vulnerable population, said that they were not contesting the landlord's Notice or their application. The tenant said they had been diligently searching for another home in which to place the occupant of this rental unit.

As the tenant agreed with the order of possession of the rental unit being issued to the landlord, it was not necessary to continue with the hearing on the landlord's application.

Analysis and Conclusion

The landlord submitted a copy of the One Month Notice to End Tenancy for Cause issued to the tenant on February 24, 2020. The effective move-out date listed was March 31, 2020.

I have reviewed the Notice, which was on the Residential Tenancy Branch (RTB) approved form with content meeting the statutory requirements under section 52 of the Act.

Given the above, pursuant to section 55(2)(b) of the Act, I therefore grant the landlord an order of possession of the rental unit effective and enforceable two (2) days after service on the tenant.

Should the tenant fail to vacate the rental unit pursuant to the terms of the order after being served, this order may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court. The tenant is advised that costs of such enforcement, including bailiff fees, are recoverable from the tenant.

Orders of Possession issued pursuant a One Month Notice to End Tenancy for Cause cannot be enforced until such time as the ORDER OF THE MINISTER OF PUBLIC SAFETY AND SOLICITOR GENERAL, Emergency Program Act, Ministerial Order No. M089, expires or is cancelled.

I find it important to note that I informed the tenant that they should act as quickly as possible to relocate their occupant, as the landlord may file an application for dispute resolution under section 56 of the Act. This is an application for an expedited hearing for an order of possession of the rental unit which would be enforceable during the state of emergency.

I also grant the landlord a monetary order in the amount of \$100, as I find they are entitled to recovery of their filing fee.

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: June 8, 2020

Residential Tenancy Branch