



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

### Dispute Codes:

OPL-4M

### Introduction

The hearing was convened in response to Applications for Dispute Resolution filed by the Landlord, in which the Landlord applied for Orders of Possession because the Landlord intends to demolish the rental unit. The Landlord has requested an Order of Possession for 5 separate rental units pursuant to section 49(6)(a) and 55 of the *Residential Tenancy Act* (Act).

The participants were given the opportunity to present relevant oral evidence, to ask relevant questions, and to make relevant submissions. Each participant affirmed they would speak the truth, the whole truth, and nothing but the truth during these proceedings.

The participants were advised that the Residential Tenancy Branch Rules of Procedure prohibit private recording of these proceedings. The participants affirmed they would not record any portion of these proceedings.

### Service of Notice of Dispute Resolution Proceeding (Proceeding Package)

RG stated that the Application for Dispute Resolution and Proceeding Package was sent to the Respondents with the initials DJ, JJ, and RB by registered mail, on February 07, 2025. The Landlord submitted evidence from Canada Post that corroborates this testimony. On the basis of this undisputed evidence, I find these documents were served to DJ, JJ, and RB in accordance with section 89 of the Act.

RG stated that the Application for Dispute Resolution and Proceeding Package was sent to the Respondents with the initials AK, AR and VI, by registered mail, on February 14, 2025. The Landlord submitted evidence from Canada Post that corroborates this

testimony. On the basis of this undisputed evidence, I find these documents were served to AK, AR and VI in accordance with section 89 of the Act.

### Service of Evidence

On February 04, 2025, the Landlord submitted evidence to the Residential Tenancy Branch which relates to the rental unit being occupied by the Respondents with the initials DJ and JJ. RS stated this evidence was sent to these Respondents with the Proceeding Package served to them on February 07, 2025. On the basis of this undisputed evidence, I find these documents were served to DJ and JJ in accordance with section 88 of the Act and it was accepted as evidence for the proceedings.

On February 04, 2025, the Landlord submitted evidence to the Residential Tenancy Branch which relates to the rental unit being occupied by the Respondent with the initials RB. RS stated this evidence was sent to this Respondent with the Proceeding Package served to them on February 07, 2025. On the basis of this undisputed evidence, I find these documents were served to RB in accordance with section 88 of the Act and it was accepted as evidence for the proceedings.

On February 04, 2025, the Landlord submitted evidence to the Residential Tenancy Branch which relates to the rental unit being occupied by the Respondent with the initials AR. RS stated this evidence was sent to this Respondent with the Proceeding Package served to them on February 14, 2025. On the basis of this undisputed evidence, I find these documents were served to AR in accordance with section 88 of the Act and it was accepted as evidence for the proceedings.

On February 04, 2025, the Landlord submitted evidence to the Residential Tenancy Branch which relates to the rental unit being occupied by the Respondent with the initials VI. RS stated this evidence was sent to this Respondent with the Proceeding Package served to them on February 14, 2025. On the basis of this undisputed evidence, I find these documents were served to VI in accordance with section 88 of the Act and it was accepted as evidence for the proceedings.

On February 13, 2025, the Landlord submitted evidence to the Residential Tenancy Branch which relates to the rental unit being occupied by the Respondent with the initials AK. RS stated this evidence was sent to this Respondent with the Proceeding Package served to them on February 14, 2025. On the basis of this undisputed

evidence, I find these documents were served to AK in accordance with section 88 of the Act and it was accepted as evidence for the proceedings.

### Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession for any of the rental units cited in these Applications for Dispute Resolution?

### Background and Evidence

The Landlord submitted evidence that shows:

- the tenancy with the Respondents with the initials DJ and JJ began in 2017
- the tenancy with the Respondent with the initials AK began in 2009
- the tenancy with the Respondent with the initials AR began in 2022
- the tenancy with the Respondent with the initials RB began in 2013
- the tenancy with the Respondent with the initials VI began in 2017
- rent for all units is due by the first day of each month.

The Landlord submitted Four Month Notices to End Tenancy for Demolition or Conversion of Rental Unit (Four Month Notice) for each of the rental units cited in these Applications for Dispute Resolution, all of which are dated November 25, 2024, and all of which declare the unit must be vacated by March 31, 2025.

RS stated that the Four Month Notice that names the Respondents with the initials DJ and JJ was posted on the door of their rental unit on November 27, 2024.

RS stated that the Four Month Notice that names the Respondent with the initials AK was posted on the door of their rental unit on November 27, 2024.

RS stated that the Four Month Notice that names the Respondent with the initials AR was posted on the door of their rental unit on November 27, 2024.

RS stated that the Four Month Notice that names the Respondent with the initials RB was posted on the door of their rental unit on November 27, 2024.

RS stated that the Four Month Notice that names the Respondent with the initials VI was posted on the door of their rental unit November 27, 2024.

The Landlord submitted a demolition permit for the residential property, dated April 25, 2023.

RS stated that the Landlord still intends to demolish this residential property and that no other additional permits are required for the demolition.

RS stated that none of the Four Month Notices were disputed by the Respondents.

### Analysis

Section 49(6)(a) of the *Act* stipulates that a landlord may end a tenancy in respect of a rental unit if the landlord has all the necessary permits and approvals required by law, and intends in good faith, to demolish the rental unit.

On the basis of the undisputed evidence, I find that on November 27, 2024 the Landlord posted a Four Month Notice, dated November 25, 2024, on the door of each rental unit cited in these Applications for Dispute Resolution, all of which declare the various units must be vacated by March 31, 2025. I find this properly served the Respondents with notice their tenancies would end in accordance with section 59(6)a) of the *Act*.

On the basis of the undisputed testimony, the demolition permit, and the absence of evidence to the contrary, I find that the Landlord has grounds to end these tenancies pursuant to section 49(6)(a) of the *Act*. I therefore grant the Landlord's application for an Order of Possession for each of the 5 rental units named in these Applications for Dispute Resolution.

### Conclusion

I grant the Landlord Orders of Possession that are effective at 1:00 p.m. on March 31, 2025. These Order may be served on the Tenants, filed with the Supreme Court of British Columbia, and enforced as an Order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: February 28, 2025

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Residential Tenancy Branch