



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPL O

Introduction

This hearing dealt with an application by the landlord for an order of possession pursuant to a notice to end tenancy for landlord's use. Despite having been personally served with the application for dispute resolution and notice of hearing on October 11, 2011, the tenants did not participate in the conference call hearing.

Issue(s) to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

On August 15, 2011 the landlord served the tenants with a notice to end tenancy for landlord's use. The tenants did not apply to dispute the notice. The notice indicates that the effective date of the end of tenancy is October 15, 2011.

Analysis

Based on the landlord's undisputed evidence I find that the tenants were served with a notice to end tenancy for landlord's use and they have not applied for dispute resolution to dispute the notice. The tenants are therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the notice. The effective date on the notice is automatically corrected to October 31, 2011. Based on the above facts I find that the landlord is entitled to an order of possession.

Conclusion

I grant the landlord an order of possession effective October 31, 2011. The tenants must be served with the order of possession. Should the tenants fail to comply with the order, the order may be filed in 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 *Residential Tenancy Act*.

Dated: October 31, 2011.

Residential Tenancy Branch