



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPC MNR FF

### Introduction

This hearing dealt with an application by the landlord for an order of possession and a monetary order for unpaid rent. Despite having been personally served with the application for dispute resolution and notice of hearing on November 9, 2011, the tenant did not participate in the conference call hearing.

During the hearing, the landlord stated that the tenant paid all of his outstanding rent on November 9, 2011. I therefore dismiss the portion of the landlord's application regarding unpaid rent.

### Issue(s) to be Decided

Is the landlord entitled to an order of possession?

### Background and Evidence

The tenancy began in October 2010.

On September 28, 2011 the landlord served the tenant a notice to end tenancy for cause. The tenant did not file an application to dispute the notice to end tenancy.

### Analysis

Based on the landlord's undisputed evidence I find that the tenant was served with a notice to end tenancy and has not applied for dispute resolution to dispute the notice. The tenant is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the notice. Based on the above facts I find that the landlord is entitled to an order of possession.

The landlord is also entitled to recovery of the \$50 filing fee for the cost of their application.

Conclusion

I grant the landlord an order of possession effective two days from service. The tenant must be served with the order of possession. Should the tenant 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: November 22, 2011.

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Residential Tenancy Branch