



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Hugh + McKinnon Realty  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OP

### Introduction

This is an application filed by the landlord for an order of possession as the tenant has over held the rental unit beyond the end of the signed fixed term tenancy.

The landlord attended the hearing by conference call and gave undisputed testimony. The tenant did not attend or submit any documentary evidence. The landlord states that the tenant was served with the notice of hearing package by Canada Post Registered Mail on October 6, 2014 and has provided a copy of the Customer Receipt Tracking number as confirmation. I am satisfied based upon the undisputed evidence that the landlord has properly served the tenant with the notice of hearing package and the submitted documentary evidence by Canada Post Registered Mail.

### Issue(s) to be Decided

Is the landlord entitled to an order of possession?

### Background and Evidence

This tenancy began on September 1, 2013 on a fixed term tenancy for 1 year ending on August 31, 2014 as shown by the submitted copy of the signed tenancy agreement. The monthly rent is \$1,100.00 payable on the 1<sup>st</sup> of each month and a security deposit of \$550.00 was paid on September 1, 2013.

The landlord states that the tenant has over held the rental unit beyond the end of the fixed term tenancy and refused to vacate the rental unit. The landlord states that the tenants still occupy the rental unit as of the date of this hearing and request an order of possession.

Analysis

I accept the undisputed evidence of the landlord and find that the tenants have over held the rental unit. The landlord has established a claim for an order of possession. The landlord is granted an order of possession. 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.

Conclusion

The landlord is granted an order of possession.

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 18, 2014

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Residential Tenancy Branch

