



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes o

Introduction

The landlord has applied for dispute resolution of a dispute in the tenancy at the above noted address, and requests an Order of Possession, based upon a notice given by the tenant to end her tenancy.

The tenant did not attend the hearing, I accept that she was properly served with the Landlord's application by way of registered mail.

Issues to Be Decided

- Is the landlord entitled to an Order of Possession?

Background and Evidence

This tenancy began November 1, 2014. Monthly rent is \$875.00, due on the first day of each month. On January 11, 2015, the tenant served the landlord with a notice to end the tenancy effective February 28, 2015. The tenant has failed to vacate the premises, and has denied entry to the premises to the landlord, for the purposes of showing the unit to new prospective tenants.

Analysis

Section 45 of the Residential Tenancy Act permits a tenant to end a periodic tenancy by giving written notice. In this case, the notice was effective to end this tenancy February 28, 2015. The landlord is entitled to request an Order of Possession, pursuant to section 55(2)(a).

I find the tenancy ended on February 28, 2015 in accordance with the notice. As that date had passed, and the tenant has not vacated, the landlord has established a right to possession, and it is appropriate that the Order be effective within 48 hours of service of the order upon the tenant.

Conclusion

Pursuant to Section 55(2)(a) and 55(3) of the Residential Tenancy Act, I issue an Order of Possession effective 48 hours following service upon the tenant. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court for enforcement.

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: March 02, 2015

Residential Tenancy Branch

