



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding HFBC HOUSING FOUNDATION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes opc

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 an undisputed one month Notice to End Tenancy.

The tenant did not attend the hearing. I accept that the tenant was properly served with both the Notice to End Tenancy, and the Landlord's application, both of which were served by way of registered mail to the tenancy address, satisfying the requirements of section 89(2)(b) of the Residential Tenancy Act. These documents are deemed to have been received by the tenant pursuant to section 90(a).

Issues to Be Decided

- Is the landlord entitled to an Order of Possession?

Background and Evidence

A one month Notice To End Tenancy was given to the tenant, effective to end the tenancy on March 31, 2017. No dispute of the notice was ever filed.

Analysis

Section 47(5) of the Residential Tenancy Act, provides that when a tenant does not make application to dispute a notice to end the tenancy for cause within the time required, the tenant is conclusively deemed to have accepted that the tenancy ends on the effective date of the notice. Accordingly on this basis, and pursuant to the one month notice, this tenancy shall end March 31, 2017. The landlord has established a right to possession on that date.

Conclusion

Pursuant to Section 55(2)(b) of the Residential Tenancy Act, I issue an Order of Possession effective March 31, 2017. Should the tenant be served, but 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 21, 2017

Residential Tenancy Branch

