Landlord-Tenancy in BC
Part 4

Evicting Tenants

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s.46: Landlord gives notice (see s.52) for non-payment of rent

- May give notice immediately
- Effective 10 days from service
- See s.88-90 re service
- Tenant has 5 days to dispute

s.47: Landlord gives notice (see s.52) for cause

- Effective at least 30 days from service
- See s.88-90 re service
- Tenant has 10 days to dispute

s.49: Landlord gives notice (see s.52) for own use of property

- Effective at least 60 days from service
- See s.88-90 re service
- Tenant has 15 days to dispute

Tenant agrees with notice

No
(Tenant files dispute)

s.58-85: Dispute resolution at RTB

Be Prepared!

s.80: 2 to 5 days to appeal decision

Yes
(Tenant does not file dispute)

s.55: Apply to RTB for "Order of Possession for Landlord"

s.80: Must wait 2 days from date of service to allow tenant time to file appeal, then enforcement can start

Tenant vacates promptly

No
(Tenant is "over holding")

s.57, 84: Apply to Supreme Court for "Writ of Possession"

- Select bailiff
- Need:
  1. Order of Possession
  2. Affidavit of Service (RTO 15)
  3. Writ of Possession
- See RTB 103

Yes

SUCCESS

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