



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## Decision

Dispute Codes      OPR, MNR, MNDC, FF

### Introduction

This matter dealt with an application by the landlord for an order of possession and a monetary order in relation to unpaid rent. At the hearing, an agent for the landlord appeared but there was no appearance by the tenant.

The agent stated that the Notice to End Tenancy had been served in person on the tenant on August 5, 2008 by the agent accompanied by a police officer. The application for dispute resolution and notice of hearing were served via registered mail on August 18, 2008. The agent provided a tracking number from Canada Post which showed the item had been refused delivery. The service via registered mail is deemed to be complete on the 5th day after mailing, and I find that the tenant was properly served as of August 23, 2008.

### Issues(s) to be Decided

Is the landlord entitled to an order of possession for unpaid rent?  
Is the landlord entitled to a monetary order for unpaid rent?

### Background and Evidence

The landlord's agent gave oral testimony that the tenancy commenced on April 1, 2008 and that the monthly rent was \$800.00 payable in advance on the first day of the month. The agent stated that the tenant has not paid rent since the commencement of the tenancy and on August 5, 2008 the agent served the tenant with a Notice to End Tenancy.

### Analysis

The tenant has not disputed the Notice to End Tenancy and as such is deemed to have accepted the end of the tenancy as of the effective date of the Notice. The landlord is therefore entitled to an order of possession.

The agent has provided oral evidence of the unpaid rent, and the tenant has not appeared to dispute the matter of the unpaid rent, and as such I accept the evidence of the landlord's agent in relation to the unpaid rent.



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## Conclusion

I find that the landlord is entitled to an immediate order of possession and I will make such an order. The order must be served upon the tenant. If the tenant fails to comply with the order, the order may be filed with and enforced as an order of Supreme Court of British Columbia.

I also make a monetary order for the landlord in the amount of \$4800.00 in unpaid rent. I also find that the landlord is entitled to recover the filing fee of \$50.00 for a total of \$4850.00. This order may be filed with and enforced as an order of the Provincial Court of British Columbia.

Dated: September 15, 2008

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Dispute Resolution Officer