



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

DECISION

Dispute Codes: FF, MND, MNR, MNSD, MNDC, OPR

Introduction

This matter dealt with an application by the landlord for an order of possession and a monetary order for damages and unpaid rent.

The tenant did not appear at the hearing and the evidence of the landlord is that the tenant was served the notice of hearing and the application for dispute resolution in person on September 30, 2008. I am satisfied that the tenant has been duly served and as such the hearing will proceed in her absence.

Issue(s) to be Decided

Is the landlord entitled to an order of possession?

Is the landlord entitled to a monetary order, and if so in what amount?

Background and Evidence

The evidence is as follows:

- the tenancy began on September 1, 2007
- the monthly rent payable is \$600.00
- a security deposit was taken at the start of the tenancy in the amount of \$300.00
- the landlord served the tenant a 10 day notice to end tenancy for unpaid rent on September 19, 2008.
- the tenant has not filed to dispute that notice.

- the tenant has not paid rent for September and October and owes partial rent for August.
- the landlord has requested an immediate order of possession

The landlord also seeks monetary compensation related to damages to a door in the rental unit.

Analysis

Based upon the undisputed testimony of the landlord, I find that he has established a claim for unpaid rent in the amount of \$1500.00. The landlord also sought a monetary order for loss of revenue for November, but I decline that portion of the claim as premature.

I also dismiss the claim in relation to the damage to the door, as the landlord has failed to submit any evidence on that issue.

I find that as the tenant did not dispute the notice to end tenancy, they are deemed to have accepted that the tenancy will end on the effective date of the notice and are required to vacate prior to that date.

Conclusion

I order that the landlord may retain the security deposit plus interest in the amount of \$ 305.22 and I grant the landlord a monetary order for the balance of \$ 1244.78. This amount includes the filing fee of the cost of this application. This order may be filed with an enforced as an order of the Provincial Court of British Columbia.

I grant the landlord an immediate order of possession. The order must be served upon the tenant. The order may be filed with and enforced as on order of the Supreme Court of British Columbia.

Dated: October 28, 2008