

DECISION

Dispute Codes: CNR, RP, FF

This hearing dealt with an application by the tenant to cancel the notice to end tenancy and for order for the landlord to make repairs to the unit.

Rule 4.1 of the Residential Tenancy Branch Rules of Procedures requires the respondent to serve the Residential Tenancy Branch and the applicant all evidence she intends to rely upon as evidence at the dispute resolution proceedings. In this case, the landlord submitted a package of documentary evidence containing 23 pages to the Residential Tenancy Branch but she did not serve the tenant with the same package. Instead, she served the tenant with only the 4 page letter of explanation from this package. I have therefore accepted only this letter as evidence.

On May 15, 2008, the landlord collected a security deposit of \$1000.00 and a pet damage deposit of \$300.00 from the tenant. The tenancy began on the same day. A monthly rent of \$2000.00 is payable in advance on the first day of each month. The tenant failed to pay rent in the month of March of 2009 and on March 4, the landlord served the tenant with a notice to end tenancy for unpaid rent.

The tenant said that she has not paid the March rent because the landlord refused to sign a letter related to the tenant's claim for disability benefits. I find no supporting evidence to indicate that the tenant's payment of rent is predicated on the landlord signing such a document. Based on the above, I find that the landlord has established grounds to end this tenancy. Accordingly, I dismiss the tenant's application to cancel the notice to end tenancy.

The landlord requested for an order of possession with an effective time and date of noon of March 31, 2009. I find that the landlord is entitled to an order of possession. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

With respect to her application for an order for the landlord to make repairs to the unit, the tenant said that she did not know what they are. I therefore dismiss the tenant's application for such an order.

Dated March 18, 2009.