Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes   OPR, MNR, FF

Introduction

A substantial amount of documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Decision and reasons

The tenants have failed to comply with a Notice to End Tenancy and rent in the amount of $$2500.00 is still outstanding to the end of August 2009. The landlord had originally claimed that $3000.00 was outstanding however the tenant claims to have paid $500.00 of that outstanding amount and the landlord stated that they will not dispute that claim.

The respondent/tenant also claimed that the landlords son told her she did not have to pay rent, as he was a co-owner of the property; however there is no evidence to show that the landlords son had any authority to tell the tenant she did not have to pay rent, as the tenancy agreement is between the applicant and the respondents.

The tenant also claims to have vacated the rental unit however she has not returned possession to the landlords, stating that the landlord's son has moved into the rental unit.

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Therefore, pursuant to Section 55, I have issued an order of possession for two days after service on the respondent.

The landlord(s) is given a formal Order of Possession.

I also Order pursuant to Section 67 that the respondent(s) pay to the applicant(s) the sum of:

Outstanding rent	$2500.00
Total	$2550.00

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: August 31, 2009.

Dispute Resolution Officer