



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, MNR, MNSD, MNDC

Introduction

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by hand on July 20, 2009, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issues(s) to be Decided

This is a request for a monetary order for \$2343.00 and for an Order of Possession.

Decision and reasons

Subsequent to this application being filed the tenant paid a substantial amount of the outstanding rent and late fees, however the tenant has still failed to comply with a Notice to End Tenancy and rent in the amount of \$\$761.00 is still outstanding for the month of September 2009.

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



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The landlord is given a formal Order of Possession; however the landlord stated that he will allow the tenancy continued and not enforce the Order of Possession if the tenant catches up on the rent.

I also Order, pursuant to Section 38, that the landlord(s) may retain the full security deposit plus interest (\$359.80) towards the outstanding rent.

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

Remaining Outstanding rent	\$401.20
Filing fee	\$50.00
Total	\$471.20

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: September 02, 2009.

Dispute Resolution Officer