

DECISION

Dispute Codes OPR, MNR, MNSD, MNDC, FF

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 registered mail that was mailed on May 11, 2010, 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 an Order of Possession based on a Notice to End Tenancy that was given for non-payment of rent, a request for an order for the outstanding rent plus a \$50.00 filing fee, and a request that the landlord be allowed to keep the full security deposit plus interest towards this claim

Background and Evidence

The applicant testified that:

- The tenant has outstanding rent totalling \$5,463.00 to the end of June 2010.
- The tenant was personally served with a 10 day Notice to End Tenancy for non-payment of rent on April 29, 2010.
- The tenant has not vacated or paid the outstanding rent.

Decision and reasons

The tenant has failed to comply with a properly served 10 day Notice to End Tenancy and rent in the amount of \$5,463.00 is still outstanding to the end of June 2010; however the landlords are only claiming \$4999.00 on this application.

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

I also Order, pursuant to Section 38, that the landlord(s) may retain the full security deposit plus interest (\$336.51) towards the outstanding rent.

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

Remaining Outstanding rent to a maximum total of \$4999.00	\$4662.49
Total	\$4712.49

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: June 25, 2010.

Dispute Resolution Officer