

DECISION

Dispute Codes

CNR, MNDC, MNR, FF

Introduction

This hearing dealt with an application by the tenant for an order setting aside a notice to end this tenancy, and an order for the landlord to allow access; and, a cross-application by the landlord for a monetary order for unpaid rent. At the outset of the hearing the landlord requested an immediate order of possession.

Despite having filed for dispute resolution and assigned this hearing date and time and having been served with the landlord's application for dispute resolution, the tenant did not participate in the conference call hearing.

Issue(s) to be Decided

Is the landlord entitled to an order of possession?

Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The landlord's undisputed testimony is as follows. The tenant is obligated to pay \$600 per month in rent. The tenant failed to pay the full amount of this rent. On April 01, 2010 the tenant owed the landlord \$700, including arrears.. On April 23, 2010 the landlord posted the 10 Day Notice to End tenancy for unpaid rent on the tenant's door. The tenant did not pay the outstanding rent, and has since not paid rent for May or June 2010. Landlord requests a monetary order for the aggregate of \$1900.

Analysis

As the tenant did not participate in the hearing to advance their claim, their claim is **dismissed** without leave to reapply.

I accept the landlord's undisputed testimony and find that the tenant was obligated to pay \$600 per month in rent. I find that as of May 03, the date the landlord submitted his application for dispute resolution, the tenant was \$1300 in arrears and currently owes the landlord a total of \$1900. I find that on April 23, 2010 the tenant was duly served with a notice to end tenancy for unpaid rent. I find that the landlord has grounds to end the tenancy for unpaid rent and I grant the landlord an **Order of Possession, effective 2 days** from the day of service. 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.

I find that the landlord is entitled to recover \$1900 in unpaid rent and I further find that the landlord is entitled to recover the \$50 filing fee paid to bring their application. I grant the landlord a **Monetary Order** under section 67 for **\$1950**. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The tenant's claim is **dismissed** without leave to reapply.

The landlord is granted an **Order of Possession**.

The landlord is granted a monetary order for **\$1950**.

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*.