

DECISION

Dispute Codes FF, MNDC, MNR, MNSD, OPB, OPR

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 May 21, 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 possession based on a Notice to End Tenancy that was given for non-payment of rent, a request for a monetary order for \$860.00 in outstanding rent, and a request to retain the full security deposit plus interest towards the claim. The applicant has also requested that the respondent bear the \$50.00 cost of the filing fee that was paid for the application for dispute resolution.

Background and Evidence

The applicant testified that:

- The tenant was served with a 10 day Notice to End Tenancy by hand on May 10, 2010,
- The tenant has failed to comply with that notice and has failed to pay the full outstanding rent.
- The tenant has paid a portion of the rent but there is still \$460.00 outstanding.

The applicant is therefore requesting an Order of Possession for as soon as possible and an order for the outstanding rent of \$460.00 plus the \$50.00 filing fee for a total claim of \$510.00.

The applicant stated she no longer wants to have an order to hold the security deposit towards outstanding rent as she wants to keep the security deposit in place to cover the cost of possible damages.

Decision and reasons

The tenant has failed to comply with a valid 10 day Notice to End Tenancy and rent in the amount of \$460.00 is still outstanding.

Therefore, the landlord has the right to an Order of Possession and pursuant to Section 55, I have issued an Order of Possession for two days after service on the respondent.

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

Outstanding rent	\$460.00
Total	\$510.00

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: July 07, 2010.

Dispute Resolution Officer