

DECISION

Dispute Codes FF, MNDC, MNR, MNSD, 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 registered mail that was mailed September 9, 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 for non-payment of rent, a request for an order for outstanding rent/utilities totaling \$3330.00, a request that the respondent bear the \$50.00 cost of the filing fee, and a request that the applicant be allowed to keep the full security deposit towards this claim.

Background and Evidence

The applicant testified that:

- On August 27, 2010 the respondent was served a Notice to End Tenancy for non-payment of rent/utilities.
- At this time the tenant owes \$30.00 in outstanding utilities, and \$3300.00 in outstanding rent.

Residential Tenancy Branch
Ministry of Housing and Social Development

The applicant is therefore requesting an Order of Possession in an order for the outstanding rent.

Decision and reasons

The tenant has failed to comply with a Notice to End Tenancy and rent/utilities in the amount of \$3330.00 is now outstanding to the end of October 2010

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 also Order, pursuant to Section 38, that the landlord may retain the full security deposit plus interest (\$550.00) towards the outstanding rent/utilities.

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

| | |
|--------------------------------------|-----------|
| Remaining Outstanding rent/utilities | \$2780.00 |
| Total | \$2830.00 |

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: October 14, 2010.

Dispute Resolution Officer