



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes FF, MNR, O, 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 which was posted on the door of the dispute property on September 27, 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 for non-payment of rent, a request for a monetary order in the amount of \$1794.26, and a request for an order that the respondent bear the \$50.00 cost of the filing fee that was paid for the application for dispute resolution.

I am unable to proceed with the monetary portion of the claim, because the notice of hearing was not served in a method that is recognized under the Residential Tenancy Act for a monetary claim.

I therefore deal only with a request for the Order of Possession and the filing fee.

Background and Evidence

The applicant testified that:

- The tenant was served with a 10 day Notice to End Tenancy on September 3, 2010 due to \$1769.26 in outstanding rent.
- The tenant has not paid that outstanding rent or filed a dispute of the Notice to End Tenancy.

Applicants are therefore requesting an Order of Possession for as soon as possible.

Analysis

The tenant had a substantial amount of rent outstanding and was served with than valid Notice to End Tenancy. She did not comply with that notice, nor did she pay the outstanding rent.

Therefore the landlord has the right to an Order of Possession.

Conclusion

I have issued an Order of Possession to the landlord that is enforceable two days after service on the tenant. I further ordered that the tenant bear the \$50.00 cost of the filing fee that was paid for the application for dispute resolution.

The monetary portion of this application is dismissed with leave to reapply.

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*.



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Dated: October 27, 2010.

Dispute Resolution Officer