



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, MNSD, MNR, 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 hand on October 8, 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 the outstanding rent of \$675.00 plus the \$50.00 filing fee and a request to retain the full security deposit towards the claim.

Background and Evidence

The applicant testified that:

- The tenant failed to pay the full rent for the month of September 2010 and therefore Notice to End Tenancy was issued personally on September 2, 2010.
- The tenant did not pay the outstanding rent within the five day time limit, and has failed to vacate the rental unit.



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Decision and reasons

The tenant has failed to comply with a Notice to End Tenancy and rent in the amount of \$675.00 is still outstanding.

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

The landlord(s) is given a formal Order of Possession and the tenant(s) **must** be served with this Order as soon as possible.

I also Order, pursuant to Section 38, that the landlord(s) may retain the full security deposit plus interest (\$325.00) towards the outstanding rent.

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

Remaining Outstanding rent	\$350.00
Total	\$400.00

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: November 05, 2010.

Dispute Resolution Officer