



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes: MNR, OPRFF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession based on the Notice to End Tenancy for Unpaid Rent dated September 20, 2010, a monetary order for rent owed and an order to retain the security deposit in partial satisfaction of the claim. Although served with the Application for Dispute Resolution by registered mail the tenant did not appear.

At the outset of the hearing the landlord advised that the tenant had paid the rental arrears owed and the application seeking rent is to be withdrawn. However, because utilities are in arrears, the landlord has since issued a demand letter for utilities to be paid within 30 days, sent on October 18, 2010, deemed to be served on the tenant as of October 23, 2010. The landlord stated that, should the tenant fail to pay the utilities within 30 days, he will be issuing another 10-day Notice to End Tenancy for the unpaid utilities and then if the tenant fails to pay within the required 5 days, the landlord will make another application for dispute resolution to pursue an end to this tenancy. The landlord stated that he would also be seeking advice in regards to issuing a *One-Month Notice to End Tenancy for Cause* due to repeated late payment of rent.

Conclusion

Given the above, I hereby dismiss this application with leave. 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 2010.

Dispute Resolution Officer