

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This is an application by the Landlord for an order of possession to end tenancy resulting from a 10 day notice to end tenancy for unpaid rent. The Landlord is also seeking a monetary order for unpaid rent, compensation for loss under the Act, regulation or tenancy agreement and the recovery of the filing fee.

The Landlord appeared by conference call and gave undisputed affirmed testimony. The Tenant did not attend.

Issues(s) to be Decided

Is the Landlord entitled to a monetary order for unpaid rent and compensation for damage or loss under the Act, regulation or tenancy agreement?

Is the Landlord entitled to an order of possession for unpaid rent?

Background and Evidence

This Tenancy began on June 1, 2010. The monthly rent is \$790.00 payable on the 1st of each month and a security deposit of \$395.00 was made at the beginning of tenancy. The Landlord states that the 10 day notice to end tenancy was served on October 1, 2010 by posting it on the door of the rental unit. The hearing documents were sent by registered mail and received on October 13, 2010.

The Landlord has made a claim for rent arrears for \$90.00 outstanding from the month of August 2010, September 2010 for \$790.00, October 2010 for \$790.00 and November 2010 for \$790.00. The Landlord is also making a claim for late fees for September to November 2010 of \$25.00 for each month, totalling \$75.00. The total claim by the Landlord is \$2,535.00 for the unpaid rent and late fees.

Analysis

I find that the notice to end tenancy was properly served by posting it on the door on October 1, 2010 and the hearing documents were served by registered mail on October 13, 2010.

The Landlord has established costs of \$90.00 for August rent arrears, \$790.00 per month for September, October and November, totalling \$2,370.00. Late fees are indicated as \$25.00 for each of the rent arrear months, totalling \$75.00.

I find that that the Landlord has established a claim for \$2,535.00. The Landlord is also entitled to recovery of the \$50.00 filing fee. I grant the Landlord an order under section 67 for the balance of \$2,585.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Based upon the above facts, I find that the Landlord is entitled to an order of possession. The Tenant must be served with the order of possession. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Conclusion

The Landlord is granted a monetary order for \$2,585.00.

The Landlord is granted an order of possession.

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 08, 2010.

Dispute Resolution Officer