



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      OPR, MNR, MNSD, FF, OPB

### 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 on November 13, 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, a monetary order for \$1185.00 plus the \$50.00 filing fee, and a request to retain the full security deposit towards this claim.

### Background and Evidence

The applicant testified that:

- On November 2, 2010 the tenant was served with a 10 day Notice to End Tenancy for non-payment of rent.
- At this time there is still \$750.00 rent outstanding and the tenant has failed to vacate the rental unit.

The applicant is therefore requesting an Order of Possession for December 15, 2010, an order for the outstanding rent and filing fee, and is requesting an order to retain the full security deposit towards this claim.



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## Analysis

The tenant has failed to comply with a Notice to End Tenancy and rent in the amount of \$750.00 is still outstanding.

Therefore, pursuant to Section 55, I have issued an order of possession for 12:00 noon on December the 15th 2010.

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 (\$350.00) 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	\$400.00
Total	\$450.00

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: December 03, 2010.

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Dispute Resolution Officer