



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      OPR, MNR

### Introduction

Some documentary evidence and written arguments have 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 hearing package and notice of hearing was posted on the tenants door, however the tenants 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, and a request for a monetary order for outstanding rent in the amount of \$885.00.

### Background and Evidence

The applicant testified that:

- The tenants failed to pay the November 2010 rent, and as a result a 10 day Notice to End Tenancy was posted on the tenant's door on November 9, 2010.
- No rent has been received since that time, and now the December 2010 rent is also passed due.



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- They believe the tenant may have abandoned the unit however they are not sure and therefore are still requesting an Order of Possession.

## Analysis

I am unable to proceed with the monetary portion of this claim because the hearing package and notice of hearing were not served by a recognized method of service, for a monetary order, under the Residential Tenancy Act.

The landlord has served the notice of hearing in a method allowable for an Order of Possession however, and therefore, since the tenants have not filed a dispute of that notice and the full rent is still outstanding, I allow the claim for the Order of Possession.

## Conclusion

I have issued an Order of Possession that is enforceable two days after service on the respondent's.

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*.

Dated: December 13, 2010.

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Dispute Resolution Officer