



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      OPR, MNR, MNSD, FF

### Introduction

This was the hearing of an application by the landlord for a monetary order and an order for possession. The hearing was conducted by conference call. The tenant and the landlord's representative participated in the hearing

### Issues(s) to be Decided

Is the landlord entitled to an order for possession?

Is the landlord entitled to a monetary order and if so, in what amount?

### Background and Evidence

The tenancy began on July 1, 2010. Monthly rent is \$1,083.00. the tenant paid a security deposit of \$541.50 on June 22, 2010. The tenant did not pay the full rent due for November. On November 2, 2010 the landlord served the tenant with a 10 day Notice to End Tenancy for unpaid rent by posting it to the door of the rental unit. The tenant did not pay the outstanding rent in the amount of \$541.00 and he did not apply to cancel the Notice to End Tenancy. Rent for December has not been paid.

### Analysis and Conclusion

Because the tenant has not paid the outstanding rent and has not applied to dispute the Notice to End Tenancy he is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. Based on the above facts I find that the landlord is entitled to an order for possession effective two days after service on the

tenant. This order may be filed in the Supreme Court and enforced as an Order of that Court.

I find that the landlord has established a claim for unpaid rent totalling \$1,624.00 for the months of November and December, 2010. The landlord is entitled to recover the \$50.00 filing fee for this application for a total claim of \$1,674.00. I order that the landlord retain the deposit and interest of \$541.50 in partial satisfaction of the award and I grant the landlord an order under section 67 for the balance due of \$1,132.50. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated: December 14, 2010.

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