



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes OPR, MNR, FF

Introduction

A substantial amount of 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 respondents were served with notice of the hearing by hand and/or registered mail on December 17, 2010, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(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, a request for a monetary order for \$2878.66, and a request that the respondents bear the \$50.00 cost of the filing fee that was paid for the application for dispute resolution.

Background and Evidence

The applicant testified that:

- The tenants failed to pay December 2010 rent and as a result were served with a 10 day Notice to End Tenancy on December 5, 2010.

- The tenants have failed to comply with the Notice to End Tenancy, and are still in the rental unit.
- The tenants have failed to pay any rent for the months of December 2010 or January 2011.
- The tenants have also failed to pay their share of the utilities.

The applicant is therefore requesting an Order of Possession first it is possible, and a monetary order as follows:

December 2010 rent	\$1000.00
Outstanding utilities (bills supplied)	\$528.66
Outstanding utilities (no bills supplied)	\$278.50
Filing fee	\$50.00
Total	\$2857.16

Analysis

The tenants failed to pay rent for the month of December 2010 and as a result the landlord has issued a valid Notice to End Tenancy. Therefore I allow the landlords request for an Order of Possession based on that notice.

I will also allow the following portions of the landlords claim:

December 2010 rent	\$1000.00
Outstanding utilities (bills supplied)	\$528.66
Filing fee	\$50.00
Total	\$2578.66

I am not willing to issue an order for any further outstanding utilities, because the landlord has not supplied any copies of the bills for those utilities.

The claims for utilities for which bills have not been supplied are dismissed with leave to reapply a later date.

Conclusion

I have issued an Order of Possession that is enforceable two days after service on the tenants, and I have issued a monetary order in the amount of \$2578.66.

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: January 14, 2011.

Residential Tenancy Branch