



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNR, OPR, FF

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 hand on January 26, 2011, 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 was an application for an Order of Possession based on the Notice to End Tenancy for non-payment of rent, and an application for a monetary order for \$1346.00; however at the hearing the applicant withdrew the request for an order possession, and lowered the monetary request to \$466.00 plus the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- On January 3, 2011 the tenant was served with a 10 day Notice to End Tenancy for non-payment of rent and at that time \$1316.00 in rent was outstanding.

- They had therefore applied for an order possession and a monetary order however the tenant subsequently paid \$850.00 of the outstanding rent, and therefore they no longer want an Order of Possession.
- They are now just requesting an order for the remaining rent a \$466.00 and the \$50.00 filing fee.

Analysis

The landlord has shown that the tenants still has \$466.00 in rent outstanding for the month of December 2010 and therefore I allow the landlords claim for that outstanding rent.

I also allow the claim for the \$50.00 filing fee.

Conclusion

I have issued a monetary order in the amount of \$516.00.

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: February 01, 2011.

Residential Tenancy Branch