



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **Decision**

### **Dispute Codes:**

MNR, OPC

### **Introduction**

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession based on the One-Month Notice to End Tenancy for Cause dated January 11, 2011 and a monetary order for rent owed.

Both parties appeared and gave testimony during the conference call.

At the outset of the hearing the tenant stated that he is in the process of moving and will be vacating prior to the end of the month. Therefore the landlord will be issued an order of possession.

### **Issue(s) to be Decided**

The remaining issue to be determined based on the testimony and the evidence is whether or not the landlord is entitled to monetary compensation for rental arrears owed for February 2011.

### **Background and Evidence**

The landlord submitted evidence and testified that the tenancy began at the end of July 2008, the rent was \$750.00 and no security deposit was paid. The landlord issued a One Month Notice to End Tenancy for Cause due to the damage caused by tenant's practice of not using central heat which, according to the landlord, resulted in a mould problem in the building. The tenant denied causing the problem.

The tenant did acknowledge that rent was not paid for the month of February 2011.

### **Analysis**

Based on the testimony of the landlord, I find that the tenant has not paid the outstanding rent owed on February 1, 2011 and the landlord has therefore

established a total monetary claim of \$800.00 comprised of \$750.00 accrued rental arrears and the \$50.00 fee paid by the landlord for this application.

**Conclusion**

I hereby issue an Order of Possession in favour of the landlord effective two days after service on the tenant. This order must be served on the Respondent and may be filed in the Supreme Court and enforced as an order of that Court.

I hereby grant the Landlord an order under section 67 for \$800.00. This order must be served on the Respondent and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

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 2011.

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Residential Tenancy Branch