



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes FF, MNR, OPC

Introduction

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for an Order of Possession based on a one month Notice to End Tenancy for cause, a request for a monetary order for outstanding rent totalling \$375.00, and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- The tenant was served with a one month Notice to End Tenancy by hand on January 10, 2011.
- The tenant did not file a dispute of the notice, and as failed to comply with that notice and the end of tenancy date is now past.
- The tenant has also failed to pay any rent for the month of March 2011.

The applicant is therefore requesting an Order of Possession for as soon as possible and an order for the outstanding rent plus the filing fee.

The applicant testified that:

- He did not receive the Notice to End Tenancy from the landlords on January 10, 2011.
- He later found the notice posted on the door of his rental unit however he is not sure of the date.
- He has the full March 2011 rent, and is willing to pay the rent and vacate at the end of March 2011.

Analysis

It is my decision that I accept the landlords claim that the Notice to End Tenancy was served on the tenant personally on January 10, 2011. The tenant claims he did not receive the notice however the tenant's testimony was very vague and therefore I prefer the testimony of the landlord. Therefore since the end of tenancy date is already past, I allow the landlords request for an Order of Possession.

I also allow the request for the monetary order, because the tenant admits that he has not yet paid the March 2011 rent.

I also allow the request for recovery of the filing fee.

Conclusion

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

I have issued a monetary order in the amount of \$425.00.

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: March 07, 2011.

Residential Tenancy Branch