

## **DECISION**

Dispute Codes      OPR, MNR, FF

### Introduction

Some documentary evidence and written arguments have 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 registered mail that was mailed on February 25, 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 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 \$832.00, and a request for an order for recovery of the \$50.00 filing fee.

### Background and Evidence

The applicant testified that:

- The tenants failed to pay the February 2011 rent of \$416.00.
- On February 11, 2011, the tenants were issued a 10 day Notice to End Tenancy for non-payment of rent.
- The tenants have not paid that full outstanding rent however they have paid \$200.00 towards the February 2011 rent.
- This is subsidized housing and after a review we have now lowered their rent to \$150.00 as of March 1, 2011, however that full rent is also outstanding.
- Therefore at this time the tenants still owe \$366.00 in outstanding rent.

The applicants are therefore requesting an Order of Possession for as soon as possible, and an order for the outstanding rent plus the \$50.00 filing fee.

### Analysis

It is my decision that, since the tenants have not paid the full outstanding rent, they are deemed to have accepted the end of the tenancy, and therefore the landlords to have the right to an Order of Possession.

The landlords have also shown that there is, at this time, a total of \$366.00 rent outstanding and therefore I allow their claim for a monetary order for that outstanding rent.

I also order recovery of the \$50.00 filing fee

### Conclusion

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

I have issued a monetary order in the amount of \$416.00.

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 11, 2011.

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Residential Tenancy Branch