



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      FF, MNR, OPR, MNSD

### 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 respondent was served with notice of the hearing by registered mail that was mailed on February 28, 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 \$4800.00 in outstanding rent, and a request for recovery of the \$50.00 filing fee.

### Background and Evidence

The applicant testified that:

- The tenants have rent outstanding totalling \$4800.00 to the end of March 2011.
- The tenants were served with a 10 day Notice to End Tenancy on November 16, 2010, however to date they have failed to vacate the rental unit or pay the outstanding rent.

The applicants are therefore requesting an Order of Possession for March 31, 2011, and an order for the outstanding rent plus the filing fee for a total of \$4850.00.

The applicant's further request that they be allowed to keep the full security deposit plus interest towards the claim and that a monetary order be issued for the difference

### Analysis

The landlords have provided sufficient evidence to prove that at this time there is a \$4800.00 in rent outstanding and therefore I allow their full claim.

Further since the landlords have served the tenants with a proper Notice to End Tenancy, and the tenants have failed to comply with that notice is my decision that I also allow the claim for an Order of Possession.

I further allow the claim for recovery of the filing fee.

### Conclusion

I have issued an Order of Possession for 1 p.m. on March the 31st 2011.

I have allowed the landlords full monetary claim of \$4850.00 and I therefore order that the landlords may retain the full security deposit plus interest totalling \$550.45 and have issued a monetary order in the amount of \$4299.55.

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 14, 2011.

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Residential Tenancy Branch

