



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNDC, MNR, MNSD, OPR

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 registered mail that was mailed on May 13, 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 rent, a request for outstanding rent totalling \$1700.00, and request for recovery of the \$50.00 filing fee.

The applicant had also applied for an order allowing her to keep the full security deposit towards the claim; however at the hearing she withdrew that request as she wishes to keep the security deposit in place until she assesses the damages at the end of the tenancy.

Background and Evidence

The applicant testified that:

- The tenant has outstanding rent as follows:

April 2011	\$100.00
June 2011	\$800.00
Total	\$1700.00

- The tenant was served with a 10 day Notice to End Tenancy on May 2, 2011 however, to date, has failed to comply with that notice.

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.

Analysis

The applicant has been served with a valid Notice to End Tenancy for non-payment of rent and has filed no dispute that notice and therefore is deemed to have accepted the end of the tenancy therefore I allow the landlords request for an Order of Possession.

I also accept the landlord's testimony that the tenant has outstanding rent totalling \$1700.00 and therefore I also allow the landlords claim for that outstanding rent.

I also order recovery of the 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 \$1750.00.

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: June 07, 2011.

Residential Tenancy Branch