



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *OPC, MNDC, FF*

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order of possession and for a monetary order for money owed under the Act. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to an order of possession? Is the landlord entitled to a monetary order to recover unpaid rent, and the filing fee?

Background and Evidence

The tenancy started in September 2008. The monthly rent is \$1,000.00 due in advance on the first of each month. The landlord stated that the tenant informed the landlord that he had taken in a room mate who would help with mowing the lawn and share rent. The landlord agreed to allow the roommate to move in and share rent, until he found out that the roommate owned a large dog. The landlord served the tenants with a notice to end tenancy and the original tenant moved out. The roommate continued to occupy the unit but failed to pay rent.

During the hearing the roommate stated that he would be moving out on July 31, 2011. He also agreed that he owed rent for June and July in the amount of \$2,000.00. The landlord agreed to allow the tenancy to continue till July 31, 2011.

The landlord is applying for an order of possession effective this date and a monetary order in the amount of \$2,000.00 for unpaid rent.

Analysis

Based on the sworn testimony of the both parties, I accept the landlord's evidence in respect of the claim.

The tenant has agreed to move out by July 31, 2011 and accordingly, pursuant to section 55(2) I am issuing a formal order of possession effective this date. The Order may be filed in the Supreme Court for enforcement.

I also find that the landlord is entitled to \$2,000.00 for unpaid rent. I grant the landlord an order under section 67 of the *Residential Tenancy Act* for this amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord an order of possession effective on or before **1:00 p.m. on July 31, 2011** and a monetary order for **\$2,000.00**.

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: July 22, 2011.

Residential Tenancy Branch