



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, 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 applicant(s) testified that the respondent was served with notice of the hearing by hand on August 17, 2011, however the respondent 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 \$1300.00, a request for recovery of the \$50.00 filing fee, and a request to retain the full security deposit towards the claim.

Background and Evidence

The applicant testified that:

- The tenant did not pay the August 2011 rent and therefore on August 4, 2011 the tenant was personally served with a 10 day Notice to End Tenancy.

- To date, the tenant has not vacated the rental unit or paid the outstanding rent nor any of the September 2011 rent.
- She is therefore requesting an Order of Possession for as soon as possible, and an order for the full outstanding rent.

Analysis

My finding that the landlord has shown that the tenant failed to pay both the August 2011 and September 2011 rent and that the tenant was served with a proper 10 day Notice to End Tenancy on August 4, 2011.

Therefore it is my decision that the landlord does have the right to an Order of Possession, and I also allow the full monetary claim.

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 tenant.

I have allowed the landlords full monetary claim of \$1350.00 and I therefore order that the landlord may retain the full security deposit of \$300.00 and have issued a monetary order in the amount of \$1050.00.

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: September 15, 2011.

Residential Tenancy Branch