



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR FF

Introduction

This hearing dealt with an application by the landlord for an order of possession and a monetary order for unpaid rent. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on August 4, 2011, the tenants did not participate in the conference call hearing.

Issue(s) to be Decided

Is the landlord entitled to an order of possession?
Is the landlord entitled to a monetary order?

Background and Evidence

The tenancy began on January 29, 2011. The tenants' rent contribution, based on the landlord's calculation of rent contribution for the time period of April 1, 2011 to July 31, 2011, was \$450 per month.

On June 9, 2011 the landlord served the tenants with a one month notice to end tenancy for cause.

The tenants failed to pay rent in the months of June, July and August 2011. The landlord has claimed \$450 for each of these three months, as well as a \$20 NSF fee for June 2011, as per the tenancy agreement.

Analysis

Based on the evidence I find that the tenants were served with a notice to end tenancy and have not applied for dispute resolution to dispute the notice. The tenants are therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the notice. Based on the above facts I find that the landlord is entitled to an order of possession.

As for the monetary claim, I find that the landlord is entitled to the amounts claimed, totalling \$1370. The landlord is also entitled to recovery of the \$50 filing fee for the cost of their application.

Conclusion

I grant the landlord an order of possession effective two days from service. The tenants must be served with the order of possession. Should the tenants fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I grant the landlord an order under section 67 for the balance due of \$1420. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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 2, 2011.

Residential Tenancy Branch