



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR

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 September 2, 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 March 1, 2010. Rent in the amount of \$920.70 is payable in advance on the last day of the month. At the outset of the tenancy, the landlord collected from the tenants a security deposit of \$450 and a pet deposit of \$450. The tenants failed to pay rent in the months of July and August 2011 and on August 12, 2011 the landlord served the tenants with a notice to end tenancy for non-payment of rent. The tenant further failed to pay rent in the month of September 2011. The landlord has claimed \$3268.50 in unpaid rent and lost revenue.

Analysis

Based on the landlord's testimony I find that the tenants were served with a notice to end tenancy for non-payment of rent. The tenants have not paid the outstanding rent and have not applied for dispute resolution to dispute the notice and 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 order, I find that the landlord has established a claim for \$3268.50 in unpaid rent and lost revenue.

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.

The landlord is entitled to \$3268.50 in unpaid rent and lost revenue. I order that the landlord retain the pet and security deposits of \$900 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$2368.50. 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 29, 2011.

Residential Tenancy Branch