

DECISION

Dispute Codes OPR, MNR, MNDC, MNSD, FF

Introduction

This is an application filed by the Landlord for an order of possession resulting from a 10 day notice to end tenancy for unpaid rent a monetary order request for unpaid rent and recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony.

Issue(s) to be Decided

Is the Landlord entitled to an order of possession?

Is the Landlord entitled to a monetary order for unpaid rent?

Background and Evidence

Both parties confirm that this Tenancy began on June 1, 2011 on a month to month basis as shown in the signed tenancy agreement submitted by the Landlord. The monthly rent is \$670.00 payable on the 1st of each month and a security deposit of \$300.02 was transferred from a previous Tenancy Agreement and is currently held by the Landlord. The Tenant has filed no evidence.

The Landlord states that the Tenant was served with a 10 day notice to end tenancy for unpaid rent on August 8, 2011. The Tenant has confirmed receipt of the 10 day notice. The Landlord states as of the date of this hearing that the Tenant is currently in rent arrears for \$920.00 up until the end of September 2011. The Tenant states that he is aware of how much he is in arrears and agrees to the amount stated by the Landlord.

Analysis

Based upon the undisputed testimony of both the Tenant and Landlord, I am satisfied that both parties have been properly served with the notice of hearing and evidence package submitted by the Landlord. The Tenant did not file any evidence.

I find based upon the Tenant's direct testimony supporting the Landlord's claims that the Landlord has established a claim for an order of possession and a monetary order request for \$920.00 in unpaid rent. The Landlord is entitled to recovery of the \$50.00

filing fee. I order that the Landlord retain the \$300.02 security deposit in partial satisfaction of the claim and I grant the Landlord an order under section 67 for the balance due of \$669.98. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

The Landlord is entitled to an order of possession. The Tenant must be served with the order of possession. Should the Tenant 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.

Conclusion

The Landlord is granted a monetary order for \$669.98.

The Landlord may retain the security deposit.

The Landlord is granted an order of possession.

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 19, 2011.

Residential Tenancy Branch