



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This hearing dealt with an application by the landlord for a an order of possession for unpaid rent, monetary order for unpaid rent, money owed or compensation for damage or loss and recovery of the filing fee. Both parties participated in the conference call hearing.

Issue(s) to be Decided

Is the landlord entitled to any of the above under the Act.

Background and Evidence

This tenancy began May 2010 with monthly rent of \$1500.00 and the tenant paid a security deposit of \$750.00.

On October 9, 2011 the landlord served the tenant a 10 Day Notice to End tenancy for Unpaid Rent; the tenant has not filed to dispute this notice.

The landlord testified that the tenant has not paid all of the August 2011 rent and owes the landlord \$500.00. The landlord stated that the tenant has also not paid any of the \$1500.00 September, \$1500.00 October or \$1500.00 November 2011 rent which totals \$4500.00. The landlord stated that at this time the tenant has a balance of \$5000.00 in unpaid rent.

The tenant acknowledged that he owed the landlords \$5000.00 in unpaid rent as he had not been paid by his work. The tenant did want to ensure that the landlord knew he would honour this debt. The tenant understood that he would have to vacate the rental unit and requested extra time to do so. The landlord in this hearing agreed to an end of tenancy date of November 20, 2011 at 1:00PM.

Analysis

Based on the documentary evidence and testimony I find that the landlord is entitled to an order of possession and a monetary order for unpaid rent.

The tenant acknowledged that there is unpaid rent in the amount of \$5000.00 owed to the landlord.

Accordingly I find that the landlord is entitled to a monetary order for \$5000.00.

As the landlord has been successful in their application the landlord is entitled to recovery of the \$50.00 filing fee.

Conclusion

I hereby grant the landlord an **Order of Possession** effective not later than **1:00 PM, November 20, 2011**. This Order must be served on the tenant(s) and may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

I find that the landlord has established a monetary claim for \$5000.00 in unpaid rent. The landlord is also entitled to recovery of the \$50.00 filing fee. I grant the landlord a monetary order under section 67 for the amount of **\$5050.00**.

If the amount is not paid by the tenant(s), the Order may be filed in the Provincial (Small Claims) Court of British Columbia 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: November 9, 2011.

Residential Tenancy Branch