



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNDC, 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(s) were served with notice of the hearing by registered mail that was mailed on November 15, 2011; however the respondent(s) 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, and a request for a monetary order for \$1950.00.

Background and Evidence

The applicant testified that:

- The tenants failed to pay the November rent of \$950.00 and the full amount is still outstanding.
- The tenants were served with a 10 day Notice to End Tenancy however they have failed to comply with that notice.
- They are therefore requesting an Order of Possession for as soon as possible, and are requesting a monetary order for the outstanding November 2011 rent.
- They were also asking for possible lost rental revenue for December 2011.

Analysis

The applicant has shown that the tenants have failed to pay the November 2011 rent in the amount of \$950.00 and have failed to comply with a valid 10 day Notice to End Tenancy.

I therefore allow the landlords request for an Order of Possession, and for a monetary order for the November 2011 rent.

I also order recovery of the \$50.00 filing fee

I will not allow the claim for December 2011 rent at this time because the rental unit may yet re-rent for the month of December or a portion thereof.

Conclusion

I have issued an Order of Possession that is enforceable two days after service on the tenants.

I have allowed \$1000.00 of the applicants claim and I therefore order that the landlords may retain the full security deposit of \$475.00 and have issued a monetary order in the amount of \$525.00.

I dismissed with leave to reapply the claim for lost rental revenue for December 2011.

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 30, 2011.

Residential Tenancy Branch