



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, 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) was served with notice of the hearing by registered mail that was mailed on November 16, 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 Notice to End Tenancy for non-payment of rent, a request for a monetary order for outstanding rent in the amount of \$1000.00, and request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant's daughter testified that:

- The tenant did not pay the November 2011 rent, and therefore on November 2, 2011 the tenant was served with a 10 day Notice to End Tenancy for non-payment of rent.
- The tenant did not comply with the Notice to End Tenancy and therefore on November 14, 2011 they applied for dispute resolution.
- Subsequent to their application for dispute resolution the tenant vacated the rental unit and therefore they no longer need an Order of Possession.

- They found the rental unit vacant on November 24, 2011 however the tenant has still failed to pay the outstanding November 2011 rent.

Analysis

Is my finding that the landlords have shown that the tenant has failed to pay the November 2011 rent and therefore I allow their claim for the full outstanding amount of \$1000.00.

I also order recovery of the \$50.00 filing fee.

Conclusion

I have issued an order for the respondent to pay \$1050.00 to the applicant.

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