



# 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 testified that the respondent was served with notice of the hearing by registered mail that was mailed on November 10, 2011; however the respondent 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 the outstanding rent and the filing fee.

### Background and Evidence

The applicant testified that:

- This tenancy began on April 1, 2011 pursuant to a verbal tenancy agreement.
- The tenant agreed to pay \$600.00 per month to cover the \$500.00 rent, and \$100.00 for utilities.

- The tenant has not paid any rent since June 2011 and therefore at this time there is a total of six months' rent/utilities outstanding for a total of \$3600.00
- The tenant was served with a 10 day Notice to End Tenancy, by registered mail that was mailed on October 19, 2011 however to date the tenant has failed to comply with that notice or to pay the outstanding rent.
- They are therefore requesting an Order of Possession for as soon as possible and an order for the outstanding rent, plus the filing fee.

### Analysis

I accept the landlord's testimony that the tenant has failed to pay the outstanding rent/utilities for the months of July 2011 through December 2011 for a total of \$3600.00. I therefore allow the landlords request for a monetary order for the outstanding rent.

It is also my finding that the landlord has served the tenant with a valid 10 day Notice to End Tenancy and since the grace period is well past the landlord has the right to an Order of Possession.

I also allow recovery of the filing fee.

### Conclusion

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

I have issued a monetary order in the amount of \$3650.00.

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: December 12, 2011.

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Residential Tenancy Branch