



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNC

Introduction

This hearing was convened in response to an application filed by the tenant seeking to cancel notices to end tenancy given for unpaid rent and for cause.

Both parties attended the hearing and gave evidence under oath.

Issue(s) to be Decided

Does the landlord have cause to end this tenancy?

Background and Evidence

The landlord issued a Notice to End Tenancy for unpaid rent and another for cause. The tenant has disputed those notices. With respect to the Notice to end Tenancy for unpaid rent the tenant agrees that she did not pay full rent for October or November and that she paid her December's rent in two instalments of \$500.00 each on different dates in December but she cannot remember what dates she made those payments. December 2011.

Analysis

Based on the evidence of the tenant I find that there is outstanding rent and the landlord therefore has cause to end this tenancy. I therefore dismiss the tenant's application seeking to cancel the notice to end tenancy for unpaid rent. As this tenancy is ending for that reason, it is not necessary for the landlord to prove other cause to end this tenancy.

At the hearing the landlord testified that there is an upcoming hearing scheduled to deal with the landlord's application for a monetary Order for unpaid rent and an Order of Possession. However the landlord requested an Order of Possession at this hearing and ss I have dismissed the tenant's application seeking to cancel the Notice to End

Tenancy for unpaid rent I will issue that Order and the landlord may proceed with her upcoming application for a monetary award.

Conclusion

The landlord is provided with a formal copy of an order of possession. Should the tenant(s) fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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: January 04, 2012.

Residential Tenancy Branch