



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 hand on January 19, 2012 and January 20, 2012, 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 outstanding January 2012 rent.

Background and Evidence

The applicant testified that:

- The tenants failed to pay the January 2012 rent and therefore on January 12, 2012 she posted a 10 day Notice to End Tenancy on the tenant's door.
- The tenants have failed to pay any of the outstanding rent and of failed to comply with the Notice to End Tenancy.
- She is therefore requesting an Order of Possession for as soon as possible and is requesting a monetary order for the outstanding rent of \$1600.00.

- She is also requesting an order allowing her to keep the full security deposit towards the claim.

Analysis

It is my finding that the landlord has shown that the respondent's have failed to pay the January 2011 rent and have failed to vacate the rental unit after receiving a valid 10 day Notice to End Tenancy. I therefore allow the request for an Order of Possession and the request for the outstanding January 2012 rent of \$1600.00.

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

Conclusion

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

I have allowed the full monetary claim of \$1650.00, and I therefore order that the landlord may retain the full security deposit of \$800.00 and have issued a monetary order in the amount of \$850.00.

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: February 01, 2012.

Residential Tenancy Branch