

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This is an application filed by the Landlord for an order of possession and a monetary order for unpaid rent, to keep all or part of the security deposit and recovery of the filing fee.

Both parties attended the hearing by conference call and gave undisputed testimony. The Tenant acknowledges receiving the Landlord's evidence consisting of the signed tenancy agreement and the 10 day notice to end tenancy for unpaid rent. The Tenant has not submitted any evidence. As both parties have attended the hearing.

Issue(s) to be Decided

Is the Landlord entitled to an order of possession?

Is the Landlord entitled to a monetary order?

Is the Landlord entitled to retain all or part of the security deposit?

Background and Evidence

This Tenancy began on July 1, 2011 on a fixed term tenancy until June 30, 2012 as shown in the submitted copy of the signed tenancy agreement. The monthly rent is \$660.00 payable on the 1st of each month and a security deposit of \$335.00 was paid on July 4, 2011.

The Landlord states that the Tenant was served with a 10 day notice to end tenancy for unpaid rent. The Tenant confirms receiving the notice. The Landlord's notice dated January 30, 2012 states that rent due January 1, 2012 of \$1,360.00. The Tenant stated in her direct testimony that she does not dispute the outstanding rent owed.

Analysis

Based upon the direct testimony of the Tenant, who confirms the Landlord's claim, I find that the Landlord has established a claim for unpaid rent. The Landlord is entitled to an order of possession and a monetary order for the claimed amount of \$1,360.00. The Landlord is granted an order of possession. The Tenant must be served with the order

of possession. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The Landlord has also established a claim for unpaid rent of \$1,360.00. The Tenant is entitled to recovery of the \$50.00 filing fee. I order that the Landlord retain the \$335.00 security deposit in partial satisfaction of the claim and grant the Landlord a monetary order under section 67 for the balance due of \$1,075.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Landlord is granted an order of possession and a monetary order for \$1,075.00. The Landlord may retain the security deposit.

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 27, 2012.

Residential Tenancy Branch