



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNDC, MNR, OPC

Introduction

A substantial amount of 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 registered mail that was mailed on February 16, 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 the Notice to End Tenancy for non-payment of rent, a request for a monetary order for \$1075.00, and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- The tenants only paid a portion of the February 2012 rent and therefore on February 2, 2012 a 10 day Notice to End Tenancy was posted on the tenant's door.
- To date the tenants have failed to pay any further rent and therefore the full March 2012 rent is also outstanding.

The applicants are therefore requesting an Order of Possession for as soon as possible, and a monetary order as follows:

February 2012 rent outstanding	\$450.00
February 2012 late rent fee	\$25.00
March 2012 rent outstanding	\$600.00
Filing fee	\$50.00
Total	\$1125.00

Analysis

It is my finding that the landlords have shown that, at this time, there is a total of \$1050.00 in rent outstanding, and therefore I allow the landlords claim for that full amount of rent.

It is also my finding that the landlords have served the tenants with a valid 10 day Notice to End Tenancy and therefore I also allow the landlords request for an Order of Possession.

The landlord has also shown that there is a late payment fee clause in the tenancy agreement that requires the tenant to pay \$25.00 if the rent payment is late and therefore I allow the landlords claim for the late payment fee.

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 respondent's and I have issued a monetary order in the amount of \$1125.00.

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: March 06, 2012.

Residential Tenancy Branch