



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

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 was served with notice of the hearing by registered mail that was mailed on February 16, 2012, 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 her rent, a request for a monetary order in the amount of \$1505.00, and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- The tenant failed to pay the full January 2012 rent and failed to pay any February 2012 rent and therefore on February 2, 2012 the tenant was served with a 10 day Notice to End Tenancy for non-payment of rent.
- The tenant made a partial payment of the outstanding rent however at this time, including March 2012 rent, there is still a total of \$905.00 outstanding.
- The tenant also owes \$50.00 in late fees.

The applicants are therefore requesting an Order of Possession in a monetary order as follows:

February 2012 rent outstanding	\$270.00
March 2012 rent outstanding	\$635.00
Late fees \$25.00 x 2	\$50.00
Filing fee	\$50.00
Total	\$1005.00

Analysis

Is my finding that the applicant has shown that there is a total of \$905.00 in rent outstanding to the end of March 2012 and therefore I allow the landlords claim for that outstanding rent.

I also allow the landlords request for late fees totalling \$50.00 and recovery of the \$50.00 filing fee.

Conclusion

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

I have allowed the landlords reduced monetary claim of \$1005.00 and I therefore order that the landlord may retain the full security deposit of \$312.50 and have issued a monetary order in the amount of \$692.50.

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