



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF

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 testified that the respondent was served with the notice of the hearing by registered mail that was mailed on March 12, 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 of rent, a request for a monetary order for \$6,227.77, a request to retain the full security deposit towards the claim, and a request for recovery of the \$100.00 filing fee.

Background and Evidence

The applicant testified that:

- The rent for this unit is \$2000.00 per month.

- The tenant has not paid any rent for the months of January 2012, February 2012, or March 2012.
- On February 28, 2012 they served the tenant a 10 day Notice to End Tenancy by posting it on the tenant's door.
- To date the tenant is failed to comply with that notice and has failed to pay any further rent.
- The tenants has also have failed to put the utilities in his name and as a result the landlord has now had to pay \$227.76 in outstanding Hydro bills.

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

Rent outstanding for January 2012	\$2000.00
Rent outstanding for February 2012	\$2000.00
Rent outstanding for March 2012	\$2000.00
Utilities outstanding	\$227.76
Filing fee	\$100.00
Total	\$6327.76

Analysis

It is my finding that the tenant owes a total of \$6,000.00 in outstanding rent and has been served with a valid 10 day Notice to End Tenancy.

The landlords have also shown that there is a total of \$227.76 in outstanding utilities for which the tenant is liable.

I therefore allow the landlords request for an Order of Possession.

I also allow the full monetary claim of \$6,227.76.

I also order recovery of the \$100.00 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 full monetary claim of \$6,327.76 and I therefore order that the landlord may retain the full security deposit of \$1000.00 and have issued a monetary order in the amount of \$5,327.76.

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 22, 2012.

Residential Tenancy Branch