



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR OLC OPR MNR FF

### Introduction

This hearing dealt with applications by the landlord and the tenant. The tenant applied to cancel a notice to end tenancy as well as for an order that the landlord comply with the Act. The landlord applied for an order of possession and a monetary order for unpaid rent.

The landlord called in to the teleconference hearing. Despite making an application for dispute resolution, the tenant did not call in to the teleconference hearing. Therefore, the tenant's application is dismissed.

### Issue(s) to be Decided

Is the landlord entitled to an order of possession?  
Is the landlord entitled to a monetary order?

### Background and Evidence

The tenancy began on January 1, 2012. Rent in the amount of \$1000 is payable in advance on the first day of each month. The tenant failed to pay rent in the month of February 2012 and on February 15, 2012 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The tenant further failed to pay rent in the month of March 2012.

### Analysis

Based on the landlord's testimony I find that the tenant was served with a notice to end tenancy for non-payment of rent. The tenant has not paid the outstanding rent and has not applied for dispute resolution to dispute the notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the notice. Based on the above facts I find that the landlord is entitled to an order of possession.

As for the monetary order, I find that the landlord has established a claim for \$2,000 in unpaid rent. The landlord is also entitled to recovery of the \$50 filing fee.

Conclusion

The tenant's application is dismissed.

I grant the landlord an order of possession effective two days from service. 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.

I grant the landlord an order under section 67 for the balance due of \$2050. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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 13, 2012.

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Residential Tenancy Branch