



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, FF, MND, MNR, MNDC, MNSD

### Introduction

Some 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 April 26, 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 a Notice to End Tenancy for non-payment of rent, a request for a monetary order and request for recovery of the filing fee.

### Background and Evidence

The applicant testified that:

- The tenant did not pay the April 2012 rent and therefore on April 11, 2012 a 10 day Notice to End Tenancy was posted on the tenant's door.
- To date the tenant has failed to comply with that notice and has failed to pay any further rent.

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

Rent outstanding for April 2012	\$1190.00
Parking outstanding for April 2012	\$15.00
Late fee for April 2012	\$25.00
Rent outstanding for May 2012	\$1190.00
Parking outstanding for May 2012	\$15.00
Late fee for May 2012	\$25.00
Filing fee	\$50.00
Total	\$2510.00

The applicants request an order to keep the full security deposit of \$595.00 towards the claim and request that a monetary order be issued for the difference.

#### Analysis

It is my finding that the tenant has failed to pay the full rent and parking fees for the months of April 2012 and May 2012 and therefore I allow the landlords full monetary claim, including the filing fee.

It is also my finding that the tenant was served with a valid 10 day Notice to End Tenancy and as failed to comply with that notice and therefore I allow the landlords request for an Order of Possession.

#### 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 \$2510.00 and I therefore order that the landlord may retain the full security deposit of \$595.00 and I have issued a monetary order in the amount of \$1915.00.

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: May 15, 2012.

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Residential Tenancy Branch