



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, 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 testified that the respondent was served with notice of the hearing by personal service on May 8, 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 \$5,475.00, and a request for recovery of the \$100.00 filing fee.

Background and Evidence

The applicant testified that:

- This was a long term tenancy that started in January of 2000 and therefore when the tenant started to fall behind in the rent she was very lenient with him.
- The tenant made many promises to pay the outstanding rent however he kept falling further and further behind.
- Therefore on March 29, 2012 she served him with a 10 day Notice to End Tenancy for non-payment of rent. The tenant has failed to comply with that notice and at this time there is still a total of \$5,475.00 rent outstanding.(See ledger)

- She is therefore requesting an Order of Possession for as soon as possible and a monetary order for the outstanding rent.

Analysis

It is my finding that the landlord has shown that there is a total of \$5,475.00 in rent outstanding to the end of May 2012, and therefore I allow the landlords monetary order.

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

I also order recovery of the \$100.00 filing fee.

Conclusion

I have issued an Order of Possession for 1 p.m. May 31, 2012.

I have allowed the applicants full monetary claim of \$5,575.00, and I therefore order that the landlord may retain the full security deposit of \$600.00 plus interest of \$52.66 for a total of \$652.66, and have issued a monetary order in the amount of \$4922.34.

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 29, 2012.

Residential Tenancy Branch