



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, MND, MNDC, O, OPC

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 May 30, 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, a request for a monetary order for \$2750.00, and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- The tenant was served with a one month Notice to End Tenancy on April 16, 2012 with an end of tenancy date of May 31, 2012, however the tenant has failed to comply with that notice.
- The tenant has also failed to pay rent for the months of May 2012 and June 2012 for a total of \$2500.00.
- He also fears that he will find damage in the rental unit when the tenant moves out.

The applicant is therefore requesting an Order of Possession for as soon as possible and a monetary order for \$2750.00 to cover the outstanding rent and damages.

Analysis

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

It is also my finding that rent in the amount of \$1250.00 is outstanding for the month of May 2012 and rent in the amount of \$1250.00 is outstanding for the month of June 2012 for a total of \$2500.00. I therefore allow the landlords request for an order for that outstanding rent.

I also order recovery of the \$50.00 filing fee.

I dismiss with leave to reapply, the claim for damages to the rental unit, because at this time the landlord is not sure how much damage will be done by the time the tenant vacates.

Conclusion

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

I have issued a monetary order in the amount of \$2550.00.

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: June 19, 2012.

Residential Tenancy Branch