



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNSD, MNR, MNDC, OPR

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(s) were served with notice of the hearing by registered mail that was mailed May 18, 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 for \$3725.00, a request for recovery of the \$50.00 filing fee, a request to retain the full security deposit of \$432.50 towards the claim.

Background and Evidence

The applicant testified that:

- Rent for this unit is \$925.00 and is due on the first of each month.
- The tenants failed to pay the February 2012 rent, and therefore on February 2, 2012 at 10 day Notice to End Tenancy was posted on their door.
- To date the tenants have failed to comply with that notice and at this time there is a total of \$3725.00 in rent outstanding.
- They are therefore requesting an Order of Possession for as soon as possible and a monetary order for the outstanding rent and filing fee.

- They further request an order allowing them to keep the full security deposit towards this claim.

Analysis

It is my finding that the landlords have shown that the tenants have failed to pay rent totalling \$3725.00 to the end of June 2012, and therefore I allow their request for the monetary order.

It is also my finding that the landlords have served the tenants with a valid 10 day Notice to End Tenancy and therefore since the tenants have failed to comply with that notice the landlords have the right to an Order of Possession.

I also allow the request for recovery of the filing fee.

Conclusion

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

I have allowed the landlords full claim of \$3775.00 and I therefore order that the landlords may retain the full security deposit of \$432.50 and I am issued a monetary order in the amount of \$3342.50.

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 06, 2012.

Residential Tenancy Branch