



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNSD, MNR, FF

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 June 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 Notice to End Tenancy for non-payment of rent, a request for a monetary order for \$1605.00, a request for recovery of the \$50.00 filing fee, and a request to retain the full security deposit of \$395.00 towards the claim.

Background and Evidence

The applicant testified that:

- The tenants June 2012 rent cheque was returned NSF and therefore on June 6, 2012 a 10 day Notice to End Tenancy was posted on the tenant's door.
- To date the tenants have failed to comply with that notice and have failed to pay any further rent.
- The tenants sent them an e-mail stating that they were no longer living in the rental unit, but they have not received any keys from the tenants and have not been able to confirm that the tenants have vacated.

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

June 2012 rent outstanding	\$790.00
July 2012 rent outstanding	\$790.00
NSF charge	\$25.00
Filing fee	\$50.00
Total	\$1655.00

Analysis

It is my finding that the landlords have shown that the tenants June 2012 rent cheque went NSF, and no rent has been paid for the month of July 2012.

I also accept the landlords testimony that a 10 day Notice to End Tenancy was posted on the tenants door on June 6, 2012.

I have therefore allowed the request for an Order of Possession, and for the full monetary amount claimed.

Conclusion

I have issued an Order of Possession for two days after service on the tenants.

I have allowed the landlords full monetary claim of \$1655.00, and I therefore order that the landlords may retain the full security deposit of \$395.00, and have issued a monetary order in the amount of \$1260.00.

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: July 16, 2012.

Residential Tenancy Branch