



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing was convened to deal with an Application for Dispute Resolution by the landlord for an order of possession and a monetary order for rent owed based on a Ten Day Notice to End Tenancy for Unpaid Rent.

During the hearing, the parties advised that the landlord and tenant have a repayment agreement for the arrears, some of which had been paid. The landlord advised that the landlord was no longer seeking an Order of Possession, and that the tenancy could continue on good faith presuming that the tenant would continue to repay the arrears at the rate of \$800.00 every two weeks. The landlord was therefore only seeking a monetary order.

Both parties appeared and gave testimony.

Issue(s) to be Decided

The issue to be determined, based on the testimony and evidence, is whether or not the landlord is entitled to monetary compensation for rental arrears owed.

Background and Evidence

The tenancy originally in November 2011 and the current rent, including satellite and utilities is \$935.00 per month.

The landlord testified that the tenant fell into arrears in the past and was in the process of catching up on the debt owed. However, the tenant has now accrued additional arrears due to employment interruption and a Ten Day Notice to End Tenancy for Unpaid Rent was issued on June 17, 2012 for arrears of \$2,325.00. The landlord testified that the tenant has paid a portion of the rent owed and the landlord is seeking a monetary order in the amount of \$1,657.30 plus the \$50.00 cost of filing the application.

The tenant did not dispute that he owes the rental arrears being claimed and made a commitment to continue to repay the arrears.

Analysis

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent . I find that the tenant has not paid all of the outstanding rent and still owes \$1,657.30.

Given the above, I find that the landlord has established a total monetary claim of \$1,725.30 comprised of accrued rental arrears rent of \$1,657.30 and the \$50.00 fee paid by the landlord for this application.

Conclusion

I hereby grant the landlord an order under section 67 for \$1,725.30. This order must be served on the Respondent and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

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 18, 2012.

Residential Tenancy Branch