



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, OPR

Introduction

A substantial amount of documentary evidence, photo 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(s) were served with notice of the hearing by registered mail that was mailed on July 27, 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 \$2000.00, and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- This tenancy began on July 1, 2012 with a monthly rent of \$1000.00.
- The tenants were given extra time to pay the July 2012 rent, however they failed to do so and therefore on July 17, 2012 they were personally served with a 10 day Notice to End Tenancy.
- To date the tenants have failed to comply with that notice and failed to pay the outstanding rent within the five day grace period.
- The outstanding July 2012 rent was not paid until July 27, 2012 and was accepted for use and occupancy only.
- The tenants have not paid any rent for the month of August 2012.

- He is therefore requesting an Order of Possession for as soon as possible, and a monetary order for the outstanding August 2012 rent.

Analysis

It is my finding that the landlord does have the right to an Order of Possession, because the tenants did not pay their July 2012 rent and subsequently were served with a 10 day notice to end tenancy for non-payment of rent. The tenants did not comply with that notice nor did they pay the outstanding rent within the grace period allowed under the Residential Tenancy Act.

I also allow the landlords request for an order for \$1000.00 for August 2012 rent, because the tenants are still in the rental unit and have paid no rent for the month of August 2012.

I also order 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 issued a monetary order in the amount of \$1050.00.

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: August 21, 2012.

Residential Tenancy Branch