



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, FF

### Introduction

Some documentary evidence and written arguments have 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 was served with notice of the hearing by hand on September 21, 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 nonpayment of rent, a request for an order for the outstanding rent, and a request for recovery of the filing fee.

### Background and Evidence

The applicant testified that:

- This tenancy began on December 1, 2009, however over the years the tenant has gradually fallen further and further behind on the rent.
- At the end of 2009 the tenant owed \$630.00.
- By the end of 2010 the tenant owed a further \$1980.00.
- By the end of 2011 with the tenant owed a further \$1160.00.
- And now, to the end of October 2012, the tenant owes a further \$958.45
- The tenant was served with a 10 day Notice to End Tenancy, by hand, on September 4, 2012 however the tenant has failed to comply with that notice.

- The tenant did make one rent payment after the notice was served; however he was informed that the payment did not reinstate the tenancy.

The applicant is therefore requesting an Order of Possession for as soon as possible, and a monetary order for the outstanding rent plus the \$50.00 filing fee.

### Analysis

It is my finding that the landlord has shown that there is a total of \$4728.45 in rent outstanding to the end of October 2012.

It is also my finding that the landlord has properly served the tenant with a 10 day Notice to End Tenancy for nonpayment of rent and the tenant has failed to comply with that notice.

I therefore allow the landlords request for an order of possession, and for an order for the outstanding rent.

I further order recovery of the filing fee.

### Conclusion

I have issued an order of possession to the landlord for 1:00 PM on October 31, 2012.

I have issued a monetary order in the amount of \$4778.45.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: October 24, 2012.

---

Residential Tenancy Branch