



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction

This is an application filed by the Landlord for an order of possession and a monetary order for unpaid rent.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend. The Landlord states that the Tenant was served by Canada Post Registered Mail on December 12, 2012 and has submitted the Customer Receipt as confirmation. As such, I am satisfied that both parties have been properly served.

Issue(s) to be Decided

Is the Landlord entitled to an order of possession?

Is the Landlord entitled to a monetary order?

Background, Evidence and Analysis

This Tenancy began on November 1, 2012 on a fixed term tenancy ending on October 31, 2013 as shown by the submitted copy of the signed tenancy agreement. The monthly rent is \$1,200.00 payable on the 1st of each month and a security deposit of \$600.00 was paid on October 18, 2012.

The Landlord states that the Tenant was served with a 10 day notice to end tenancy issued for unpaid rent issued November 28, 2012 on November 28, 2012 by posting it to the rental unit door. The Landlord has submitted a copy of a proof of service document with the Landlord's wife as a witness to service. The notice states that \$1,200.00 in outstanding rent was due on November 1, 2012 which remains unpaid. The stated effective date of the notice is November 8, 2012.

The Landlord states that the Tenants are still currently occupying the rental unit and have not made any rent payments since the notice was served.

I accept the undisputed testimony of the Landlord and find that the Tenants were properly served with the 10 day notice to end tenancy issued for unpaid rent by posting on the rental unit door on November 28, 2012. Based upon the undisputed evidence provided, I find that the Landlord is entitled to an order of possession. The Landlord is granted an order of possession. The order of possession must be served upon the Tenant. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

As for the monetary claim, I find based upon the undisputed testimony that the Landlord has established a claim for \$1,200.00 in unpaid rent. The Landlord is granted a monetary order for \$1,200.00. The order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Landlord is granted an order of possession and a monetary order for \$1,200.00

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: January 15, 2013

Residential Tenancy Branch

