



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      FF, MNR, OPR

### Introduction

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is an application for an order of possession based on a notice to end tenancy for nonpayment of rent, a request for a monetary order for outstanding rent totaling \$1850.00, and a request for recovery of the \$50.00 filing fee.

### Background and Evidence

The applicant testified that:

- This tenancy began on October 1, 2012 with a monthly rent of \$750.00.
- Numerous rent cheques issued by the tenants have not been honored by the bank and therefore at this time there is rent outstanding as follows:

November 2012 rent outstanding	\$350.00
December 2012 rent outstanding	\$750.00
January 2013 rent outstanding	\$750.00
Total	\$1850.00

- The tenant was served with a 10 day Notice to End Tenancy, by hand, on December 27, 2012 and has failed to comply with that notice.
- They are therefore requesting an order of possession for as soon as possible and a monetary order for the outstanding rent.

The respondent testified that:

- She does not dispute the amount of rent outstanding, as she and her boyfriend of five years split up and he did not honor the rent cheques.
- She is unable to afford the rent, and therefore has not paid.

### Analysis

It is my finding that the tenant has been served with a valid 10 day notice to end tenancy and has failed to comply with that notice and I therefore allow the landlord's request for an Order of Possession.

Further since the tenant does not dispute the amount of rent outstanding, I also allow the claim for that outstanding rent.

I also allow the request for recovery of the \$50.00 filing fee.

### Conclusion

I have issued an order of possession that is enforceable two days after service on the tenant.

I have issued a monetary order in the amount of \$1900.00.

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 30, 2013

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Residential Tenancy Branch

