Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   OPR, MND, MNR, MNSD, FF

Introduction

Some documentary evidence, photo evidence, and written arguments have 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

First of all it is my decision that I will not deal with all the issues that the applicant has put on the application. For claims to be combined on an application they must related.

Not all the claims on this application are sufficiently related to the main issue to be dealt with together.

I therefore will deal with the request for an order possession based on a notice to end tenancy for nonpayment of rent, and the request for an order for that outstanding rent. I dismiss the remaining claims with liberty to re-apply.

Background and Evidence

The applicant testified that:

- This tenancy began on October 1, 2011 with a monthly rent of $1900.00, and at that time the tenant paid a security deposit of $950.00.
- The tenant failed to pay the January 2013 rent of $1900.00 and therefore on January 2, 2013 the tenant was served with a 10 day notice to end tenancy for nonpayment of rent.
- To date, the tenant has failed to comply with that notice and has failed to pay any further rent.
- He is 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 request for an order of possession and will be out of the rental unit by midnight tonight.
- She does not dispute the fact that the January 2012 rent has not been paid.

Analysis

The tenant is not disputing the request for an order possession and therefore I will be issuing order of possession in favor landlord.

The tenant has also admitted that the full January 2012 rent of $1900.00 is outstanding and therefore I also allow the landlords claim for that outstanding rent.

Since I have allowed the landlords claims I also order recovery of the landlord's $50.00 filing fee.

Conclusion

I have issued an order possession four 11:59 PM January 31, 2012.

I have allowed a total claim of $1950.00, and I therefore order that the landlord may retain the full security deposit of $950.00, and I've issued a monetary order for $1000.00.

As stated above the remainder of the landlords monetary claim is dismissed with leave to reapply.

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 31, 2013

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Residential Tenancy Branch