



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, MNSD, OPR

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(s) testified that the respondent was served with notice of the hearing by personal service on January 21, 2013; however the respondent 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 a Monetary Order for the outstanding rent, a request for recovery of the \$50.00 filing fee, and a request to retain the full security deposit plus interest towards the claim.

Background and Evidence

The applicant testified that:

- This tenancy began on January 1, 1999, and a security deposit of \$225.00 was collected on July 1, 1995.
- The present rent for this rental unit is \$475.00 per month.
- The tenant failed to pay any rent for the month of January 2013 and therefore on January 3, 2013 a 10 day Notice to End Tenancy was personally served on the tenant.
- To date, the tenant has failed to comply with that Notice to End Tenancy and has failed to pay any further rent.

- They are therefore requesting an Order of Possession for as soon as possible and a Monetary Order for the outstanding rent for the months of January 2013 and February 2013, totaling \$950.00.

Analysis

It is my finding that the applicants have shown that the tenant has failed to pay any rent for the months of January 2013 and February 2013 for a total of \$950.00. I therefore allow the request for that outstanding rent.

It is also my finding that the tenant has been properly served with a 10 day Notice to End Tenancy and has failed to comply with that notice and I therefore also allow the request for an Order of Possession.

I also allow recovery of the filing fee.

Conclusion

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

I have allowed the landlords full claim of \$1000.00 and I therefore order that the landlords may retain the full security deposit of \$225.00 plus interest of \$41.95, and I've issued a monetary order in the amount of \$733.05.

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: February 13, 2013

Residential Tenancy Branch

