



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Li-Car Management Group
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes FF, MNSD, OPR, O

Introduction

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

I also gave the landlords the opportunity to testify at the hearing.

The landlord(s) testified that the tenant(s) were served with notice of the hearing by registered mail that was mailed March 21, 2013 however the tenants(s) did not join the conference call that was set up for the hearing.

Further the tenants were well aware of the hearing time, as they filed their own application and their hearing was set down for the same conference call.

All testimony was taken under affirmation.

Issue(s) to be Decided

This decision deals with two applications for dispute resolution, one brought by the tenants, and one brought by the landlords. Both files were heard together.

The tenant's application is a request for an order allowing them to stay in the rental unit, however the tenants failed to appear at the hearing and therefore their application was not heard.

The landlord's application 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 outstanding rent, and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The landlord's testified that:

- This tenancy began on March 1, 2013 with the monthly rent of \$625.00.
- The tenants paid a security deposit of \$312.50 on February 14, 2013.
- The tenants failed to pay any rent for the month of March 2013, and therefore on March 4, 2013 a 10 day Notice to End Tenancy was posted on the tenant's door.
- To date, the tenant's have failed to comply with the Notice to End Tenancy, and have failed to pay any rent whatsoever.
- They are therefore requesting an Order of Possession for as soon as possible and a Monetary Order as follows:

March 2013 rent outstanding	\$625.00
April 2013 rent outstanding	\$625.00
Filing fee	\$50.00
Total	\$1300.00

Analysis

It's my finding that the landlords have shown that the tenants have failed to pay rent in the amount of \$625.00 for the month of March 2013, and April 2013, for a total of \$1250.00. I therefore allow the landlords request for an order for that outstanding rent.

It is also my finding that the tenants have been served with a valid 10 day Notice to End Tenancy, and therefore I also allow the request for an Order of Possession.

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

Conclusion

Tenants application

The tenant's application is dismissed in full without leave to reapply.

I further order that the tenants pay the filing fee of \$50.00, which was previously waived, to the director of the Residential Tenancy Branch

Landlord's application

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

I have allowed the landlords full monetary claim of \$1300.00 and I therefore order that the landlords may retain the full security deposit of \$312.50 and I have issued a Monetary Order in the amount of \$987.50.

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: April 08, 2013

Residential Tenancy Branch