



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, FF, MNR

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 testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on April 18, 2013; however the respondent(s) 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 an application for an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, and a request for a Monetary Order for outstanding rent and utilities. The applicant is also requesting recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- This tenancy began on February 1, 2011 and the present monthly rent is \$780.00 per month.
- The tenants failed to pay the April 2013 rent and therefore on April 5, 2013 the tenants were served with a 10 day Notice to End Tenancy.
- The tenants also failed to pay utilities and therefore a second Notice to End Tenancy was served on April 6, 2013 for failing to pay utilities in the amount of \$145.23.
- To date the tenants have failed to comply with the Notices to End Tenancy and have failed to pay any further rent or utilities.

He is therefore requesting an Order of Possession for as soon as possible and a Monetary Order as follows:

April 2013 rent outstanding	\$780.00
May 2013 rent outstanding	\$780.00
Utilities outstanding	\$145.23
Filing fee	\$50.00
Total	\$1755.23

Analysis

It's my finding that the landlord has shown that the tenant has failed to pay rent for the months of April 2013, and May 2013 and I therefore allow the claim for outstanding rent.

It is also my finding that the tenants owe utilities in the amount of \$145.23 and I therefore also allow that portion of the claim.

The landlord has served the tenants with two valid notices to end tenancy, and the tenants have failed to comply with those notices, and therefore I also allow the request for an Order of Possession.

I also allow the request for recovery of the filing fee.

Conclusion

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

I have issued a Monetary Order in the amount of \$1755.23.

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: May 14, 2013

Residential Tenancy Branch

