



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, ,MNR, FF

Introduction

The landlord applies for an order of possession pursuant to a ten day Notice to End Tenancy received April 1, 2013 and for a monetary award for unpaid rent.

The facts are not in dispute. As of April 1, 2013 the tenant owed \$3155.00 in rent arrears. She has made no payment since March and, with the May rent past due, now owes \$3755.00. The evidence shows the tenant has been doing her best but has fallen behind. She has not applied to dispute the ten day Notice.

Section 46 of the *Residential Tenancy Act* provides that in these circumstances, the tenant is conclusively deemed to have accepted the end of the tenancy. This tenancy ended on April 11, 2013 and the landlord is entitled to an order of possession.

I allow the landlord to amend her claim to include loss of May rental income and I grant her a monetary award of \$3755.00 plus the \$50.00 filing fee. I authorize the landlord to retain the \$900.00 in deposit money she holds, in reduction of the amount awarded. There will be a monetary order against the tenant for the remainder of \$2905.00.

The parties may ignore these orders if they are able to reach a mutual agreement for timely repayment of the arrears.

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 13, 2013

Residential Tenancy Branch

