



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNR, OPB, OPR

### Introduction

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 \$10,800.00.

Some documentary evidence and written arguments has 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(s) were served with notice of the hearing by registered mail that was mailed on May 7, 2013, however the respondent(s) did not join the conference call that was set up for the hearing.

I find that the respondents are deemed to have been served with notice of today's hearing five days after that notice was mailed.

All testimony was taken under affirmation.

Issue(s) to be Decided

Is the applicant entitled to an Order of Possession?

Is the applicant entitled to a Monetary Order of \$10,800.00?

Background and Evidence

The applicants testified that:

- This tenancy began on July 9, 2011 and at that time the monthly rent was \$1500.00 per month.
- The rent was subsequently reduced to \$1300.00 per month; however the tenants stopped paying any rent at all.
- At this time the tenants owe a total of \$7800.00 as they have not paid any rent for the past six months.
- The tenants were served with a 10 day Notice to End Tenancy by registered mail that was mailed on April 3, 2013.
- The tenants had also agreed to pay \$50.00 per month for utilities; however they have not paid any of the utilities for the past six months.
- They are therefore requesting an Order of Possession for as soon as possible, and a Monetary Order for the outstanding rent and utilities.
- They also request recovery of the \$100.00 filing fee.
- Therefore the total amount they are requesting is \$8200.00, not the \$10,800.00 that they put on the application.

Analysis

It's my finding that the landlords have shown that at this time there is a total of \$7800 in outstanding rent, and \$300.00 in outstanding utility bills, and I therefore allow the landlords reduced claim for a Monetary Order for those outstanding amounts.

It's also my finding that the landlords have served a valid Notice to End Tenancy and therefore I also allow the request for an Order of Possession.

I further order recovery of the \$100.00 filing fee.

Conclusion

I have issued an Order of Possession for 1 PM on June 4, 2013.

I have issued a Monetary Order in the amount of \$8200.00.

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: June 03, 2013

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Residential Tenancy Branch

