



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, 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 \$4827.46. The applicant is also requesting recovery of the \$50.00 filing fee.

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 was served with notice of the hearing by hand on May 30, 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

Is the landlord entitled to an Order of Possession?

Is the landlord entitled to a Monetary Order?

Background and Evidence

The applicant testified that:

- This tenancy began on August 10, 2011, and although the tenant was supposed to pay the security deposit none was ever paid.
- The present rent is \$995.00 per month.

- The tenant has fallen behind in the rent by a substantial amount, and as of today's date there is a total of \$4807.46 in rent outstanding.
- On May 21st 2013 he personally served the tenant with a 10 day Notice to End Tenancy for nonpayment of rent.
- To date the tenant has failed to comply with the Notice to End Tenancy, and has failed to pay the outstanding rent.
- He is therefore requesting an Order of Possession for as soon as possible and a Monetary Order for the outstanding rent and filing fee.

Analysis

It's my finding that the landlord has shown that the tenant has a total of \$4807.46 in rent outstanding to the end of June 2013. I therefore allow the landlords request for a Monetary Order.

It is also my finding that the landlord has served the tenant with a valid 10 day Notice to End Tenancy, and the tenant has failed to comply with that notice. I therefore allow the landlords 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 is enforceable two days after service on the tenant.

I have issued a Monetary Order in the amount of \$4857.46.

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 19, 2013

Residential Tenancy Branch

