



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding EQUITEX MANAGEMENT  
and [tenant name suppressed to protect privacy]

## **Decision**

### **Dispute Codes:**

OPR, MNR, FF

### **Introduction**

This hearing was convened to deal with an Application for Dispute Resolution by the landlord for an order of possession and a monetary order for rent owed based on a Ten Day Notice to End Tenancy for Unpaid Rent.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The hearing process was explained. The participants had an opportunity to submit documentary evidence prior to this hearing, and the evidence has been reviewed. The parties were also permitted to present affirmed oral testimony and to make submissions during the hearing. I have considered all of the affirmed testimony and relevant evidence that was properly served.

### **Issue(s) to be Decided**

The issue to be determined, based on the testimony and evidence, is whether or not the landlord is entitled to monetary compensation for rental arrears owed.

### **Background and Evidence**

The tenancy originally began in February 2011 and the current rent is \$770.00 per month. A security deposit of \$375.00 was paid.

The landlord testified that the tenant fell into arrears and a Ten Day Notice to End Tenancy for Unpaid Rent was issued on May 8, 2013. The landlord testified that the tenant paid the arrears. However, the payment of the arrears was made beyond the 5 day deadline to cancel the notice under section 46 of the Act.

As the tenant has caught up on the arrears and made a commitment not to fall behind in payments again, the landlord consented to withdraw the 10-Day Notice to End Tenancy for Unpaid Rent, but is still seeking reimbursement for the \$50.00 cost of filing the application. The tenant agreed with this arrangement.

Accordingly, I hereby grant a monetary order in favour of the landlord in the amount of \$50.00 for the cost of the application.

**Conclusion**

The parties agreed that the Ten Day Notice to End Tenancy for Unpaid Rent would be cancelled and that the landlord receive a monetary order for the \$50.00 cost of the application.

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 26, 2013

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Residential Tenancy Branch