



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding NPR Limited Partnership
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR

Introduction

This is an application filed by the Landlord for an order of possession and a monetary order for unpaid rent.

Both parties attended the hearing by conference call and gave testimony. As both parties have attended and have confirmed receipt of the notice of hearing package and the submitted documentary evidence, I am satisfied that both parties have been properly served.

At the beginning of the hearing, both parties agreed that the rent arrears were paid late, but that the Landlord was still requesting an order of possession to end the tenancy. Both parties agreed that the Tenant made a late rent payment for May and is currently in arrears for June rent. As the Landlord has not amended the application to amend the request for a monetary order for unpaid rent and both parties have confirmed that the rent was up to date as of the end of May, the Landlord's request for a monetary order is dismissed.

Issue(s) to be Decided

Is the Landlord entitled to an order of possession?

Background and Evidence

This Tenancy began on August 1, 2011 on a fixed term tenancy ending on July 31, 2012 and then thereafter on a month to month basis as shown by the submitted copy of the signed tenancy agreement.

Both parties have confirmed that the Tenant was served with a 10 day notice to end tenancy issued on May 2, 2013 for unpaid rent by posting it to the rental unit door. The

notice shows an effective date of May 15, 2013 and that the Tenant failed to pay rent of \$775.00 that was due on May 1, 2013. The Tenant confirmed that due to some personal circumstances the rent was not paid on time and that the current rent for June is unpaid. Both parties have confirmed that the Tenant is currently in arrears for \$575.00 for June rent.

Analysis

I accept the undisputed evidence of both parties and find that the Tenant was served with the 10 day notice to end tenancy issued for unpaid rent on May 2, 2013 by posting it to the rental unit door. The Tenant has confirmed receipt of the notice in her direct testimony and has confirmed that rent was paid late. The Tenant has also confirmed that she is currently in arrears for June rent. The Landlord stated in her direct testimony that she has been in contact with the Tenant who has repeatedly promised to pay the June rent and as of the date of this hearing has not made any payment.

I find that the Landlord has established a claim for an order of possession for unpaid rent. The Tenant did not dispute the notice dated May 2, 2013 and is deemed to have accepted that the Tenancy was at an end. The Landlord is granted an order of possession. The Tenant must be served with the order. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

Conclusion

The Landlord is granted an order of possession.

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