



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Suniva Enterprise Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR

### Introduction

This hearing dealt with the tenant's application to cancel a notice to end tenancy for unpaid rent. The landlord's agent and the tenant participated in the teleconference hearing.

In the hearing, neither party raised any issues regarding service of the application or the evidence. I have reviewed all testimony and other evidence. However, only the evidence relevant to the issues and findings in this matter are described in this decision.

### Issue(s) to be Decided

Is the notice to end tenancy valid?

### Background and Evidence

The parties agreed that the applicant tenant is the only tenant named on the tenancy agreement, and the current monthly rent is \$1380. On July 2, 2013, the landlord personally served the tenant with a notice to end tenancy for unpaid rent in the amount of \$375. The landlord received the balance of the rent on July 11, 2013. In the hearing, the landlord orally requested an order of possession effective July 31, 2013.

The tenant stated that the landlord knew that part of July's rent would be late, because the landlord had filled out an Intent to Rent form for another occupant in the rental unit on June 29, 2013, and it takes time for Social Services to process applications.

### Analysis

I find that the notice to end tenancy for unpaid rent is valid. The tenant did not pay the balance of the rent within five days of having received the notice to end tenancy. The applicant tenant, as the only tenant named on the tenancy agreement, was responsible for ensuring that all rent was paid when due on the first of the month.

As the landlord orally requested an order of possession in the hearing, I accordingly grant the order of possession.

### Conclusion

The tenant's application is dismissed.

I grant the landlord an order of possession effective July 31, 2013. The tenant must be served with the order of possession. 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.

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: July 16, 2013

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Residential Tenancy Branch