



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Connector Properties Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This is an application filed by the Landlord for an order of possession and a monetary order for unpaid rent, to keep all or part of the security deposit and recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend or submit any documentary evidence. The Landlord states that the Tenant was personally served with the notice of hearing package and the submitted documentary evidence on June 13, 2013 at the rental unit. The Landlord's Agent, L.R. stated that she was a witness to the service. I accept the undisputed testimony of the Landlord and find that the Tenant has been properly served with the notice of hearing package and the submitted documentary evidence in person on June 13, 2013.

The Landlord clarified during the hearing that the request to retain the security deposit was an error and wished to have that removed from the Application. As such, no further action is required for the security deposit.

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 Landlord states that a 10 day notice to end tenancy for unpaid rent dated May 4, 2013 was served on the Tenant on May 4, 2013 by posting it to the rental unit door. The Landlord has provided a proof of service document which confirms this and states that the Landlord's Agent, L.R. was a witness to the service. The notice states that rent

of \$707.00 was due on May 1, 2013 and was unpaid. The notice also shows the effective date of May 14, 2013.

The Landlord seeks an order of possession and a monetary order for \$707.00 for unpaid rent for May 2013. The Landlord states that no rent payments have been made since the delivery of this notice up until the date of this hearing.

Analysis

I accept the undisputed evidence of the Landlord. I find that the Landlord has established a claim for an order of possession for unpaid rent. The Tenant has failed to pay the rent or file an application for dispute resolution to dispute the notice. The Tenant is conclusively presumed to have accepted that the tenancy is at an end. The Landlord is granted an order of possession. The order of possession must be served upon the Tenant. 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.

As for the monetary order, I accept the undisputed evidence of the Landlord. The Tenant has failed to pay rent after being served with a 10 day notice to end tenancy issued for unpaid rent. The Landlord has established a monetary claim of \$707.00 for May 2013 rent. The Landlord is also entitled to recovery of the \$50.00 filing fee. I grant a monetary order under section 67 of the Act of \$757.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that court.

Conclusion

The Landlord is granted an order of possession and a monetary order for \$757.00.

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: July 11, 2013

Residential Tenancy Branch