



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Protection Property Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR OPR MNR FF

Introduction

This hearing dealt with applications by the tenant and the landlord. The tenant applied to cancel a notice to end tenancy for unpaid rent. The landlord applied for an order of possession and a monetary order for unpaid rent. Both the tenant and an agent for the landlord participated in the teleconference 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?

Is the landlord entitled to a monetary order?

Background and Evidence

Rent in the amount of \$830 is payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$415. The tenant failed to pay \$430 of her rent in the month of August 2013, and she paid no rent in September 2013. On September 2, 2013 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The tenant further failed to pay rent in the month of October 2013. The tenant did not dispute these facts.

Analysis

The tenant was served with a notice to end tenancy for non-payment of rent and has not paid the outstanding rent. The tenant is therefore conclusively presumed to have

accepted that the tenancy ended on the effective date of the notice. Based on the above facts I find that the landlord is entitled to an order of possession.

As for the monetary order, I find that the landlord has established a claim for \$2090 in unpaid rent. The landlord is also entitled to recovery of the \$50 filing fee.

Conclusion

The tenant's application is dismissed.

I grant the landlord an order of possession effective two days from service. 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.

The landlord is entitled to \$2140. I order that the landlord retain the security deposit of \$415 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1725. This order may be filed in the Small Claims Court 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: October 11, 2013

Residential Tenancy Branch