



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNDC 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 pursuant to the notice to end tenancy for unpaid rent, as well as a monetary order for unpaid rent. The tenant, two landlords and an agent for the landlords all participated in the teleconference hearing.

Neither party raised any issues regarding service of the applications or the evidence. I have reviewed all testimony and other evidence. However, in this decision I only describe the evidence relevant to the issues and findings in this matter.

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 tenancy began on September 1, 2013. Rent in the amount of \$750 is payable in advance on the first day of each month. The landlord collected a security deposit from the tenant in the amount of \$375. The tenant failed to pay rent in the month of October 2013 and on October 3, 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 November 2013. The tenant did not dispute these facts.

Analysis

Based on the evidence, I find that the notice to end tenancy is valid and the landlord is entitled to an order of possession and a monetary order. The tenant has not paid the outstanding rent for October 2013, as set out in the notice, and he has further failed to

pay the rent for November 2013. Based on the above facts I grant the landlord an order of possession and a monetary order for the unpaid rent of \$1500. As the landlord's application was successful, they are also entitled to recovery of the \$50 filing fee for the cost of their application.

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 \$1550. I order that the landlord retain the security deposit of \$375 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1175. 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: November 15, 2013

Residential Tenancy Branch

