



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes:**

OPR, MNR

### **Introduction**

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. An Order of Possession - Section 55;
2. A Monetary Order for unpaid rent - Section 67

Both parties attended the hearing and each provided testimony and participated in the hearing with their questions and submissions.

### **Issue(s) to be Decided**

Is the notice to end tenancy valid?

Is the landlord entitled to an Order of Possession?

Is the landlord entitled to the monetary amounts claimed?

### **Background and Evidence**

Rent in the amount of \$560.00 is payable in advance on the 23 day of each month. The tenant failed to pay rent in the month of October 2013 and on October 24, 2013 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The tenant acknowledged that the rent has still not been paid. The landlord's monetary claim is for the unpaid rent in the amount of \$560.00. The parties discussed their dispute and agreed that the tenant could remain in the unit until November 30, 2013.

### **Analysis**

Based on the testimony of both parties I find that the tenant was served with a notice to end tenancy for non-payment of rent and I find the notice to be valid. The tenant has not paid the outstanding rent and has not applied for Dispute Resolution to dispute the notice and 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**, which by their agreement is effective November 30, 2013.

I find the landlord has established a monetary entitlement claim of **\$560.00** for unpaid rent.

### **Conclusion**

**I grant** an Order of Possession to the landlord **effective November 30, 2013**. The tenant must be served with this **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.

**I grant** the landlord an Order under Section 67 of the Act for the amount of **\$560.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

**This Decision is final and binding on both parties.**

*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 14, 2013

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Residential Tenancy Branch

