



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF, MNR, OPR

### Introduction

This is an application for a Monetary Order for outstanding rent, a request for an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, and a request for recovery of the filing fee.

Some documentary evidence and written arguments have been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed on October 1, 2013; however the respondent did not join the conference call that was set up for the hearing.

Documents sent by registered mail are deemed served five days after mailing, and therefore it's my finding that the respondent has been properly served with notice of today's hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

Is the landlord entitled to an Order of Possession?

Has the landlord established a claim for outstanding rent, and if so how much?

### Background and Evidence

The landlord testified that:

- The tenant failed to pay the September 2013 rent, and therefore on September 12, 2013 a 10 day Notice to End Tenancy was posted on the tenant's door.
- The tenant failed to comply with that notice, and has failed to pay the outstanding rent.
- As of today's date there is a total of \$746.00 in rent outstanding.
- She is therefore requesting an Order of Possession for as soon as possible, and a Monetary Order for the outstanding rent plus her \$50.00 filing fee.

### Analysis

It's my finding that the landlord has served the tenants with a valid 10 day Notice to End Tenancy at and that the tenant has failed to comply with that notice or pay the full outstanding rent. I therefore allow the landlords request for an Order of Possession.

The landlord has also shown that at this time there is a total of \$746.00 in rent outstanding and I therefore allow the landlords request for a Monetary Order.

I also order recovery of the \$50.00 filing fee.

### Conclusion

I have issued an Order of Possession that is enforceable 15 days after service on the tenant.

I have issued a Monetary Order in the amount of \$796.00.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: November 07, 2013

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Residential Tenancy Branch