



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Affordable Housing Charitable Association  
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 served with the notice of hearing package and the submitted documentary evidence by Canada Post Registered Mail on January 3, 2014 and has submitted a copy of the Customer Receipt Tracking number as confirmation.

### Issue(s) to be Decided

Is the Landlord entitled to an order of possession?

Is the Landlord entitled to a monetary order?

Is the Landlord entitled to retain the security deposit?

### Background and Evidence

The Landlord states that the Tenant was served with a 10 day notice to end tenancy issued for unpaid rent dated December 3, 2013 by posting it to the rental unit door on the same date. The notice states that the Tenant failed to pay rent of \$1,160.00 that was due on December 1, 2013. The notice displays an effective end of tenancy date of December 13, 2013.

The Landlord states that the Tenant failed to pay rent within the allowed timeframe nor did she file an application for dispute resolution to dispute the notice. The Landlord clarified in her direct testimony that since the 10 day notice dated December 3, 2013 was served the Tenant made a partial payment of \$640.00 and again a partial rent

payment of \$680.00 on January 15, 2014. The Landlord states that the current arrears owed by the Tenant is \$20.00.

The Landlord seeks an order of possession and a monetary order for \$20.00 in unpaid rent.

### Analysis

I accept the undisputed evidence of the Landlord and find that the Tenant has been properly served with the 10 day notice to end tenancy issued for unpaid rent dated December 3, 2013. The Tenant failed to pay all of the rent owed within the allowed timeframe nor did she file an application for dispute resolution to dispute the notice. The Landlord is granted an order of possession. 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.

As for the monetary order, I find based upon the undisputed evidence of the Landlord that a monetary claim of \$20.00 has been established for unpaid rent. The Landlord is also entitled to recovery of the \$50.00 filing fee. I order that the Landlord retain \$70.00 for the currently held \$450.00 security deposit in satisfaction of this claim.

### Conclusion

The Landlord is granted an order of possession.  
The Landlord may retain \$70.00 from the security deposit.

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: January 17, 2014

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Residential Tenancy Branch

