



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

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.

Both parties attended the hearing by conference call and gave undisputed testimony. As both parties have attended and have confirmed receipt of the notice of hearing package, I am satisfied that both parties have been properly served.

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 on December 20, 2013 in person. The Tenant confirmed in her direct testimony that she received the notice.

The Landlord claims that the Tenant failed to pay rent of \$3,700.00. This consists of unpaid rent of \$700.00 for November, \$1,500.00 for December and \$1,500.00 for January. The Tenant confirmed in her direct testimony that she is in arrears for the amount specified by the Landlord in his application.

Analysis

I accept the undisputed evidence of both parties and find based upon the Tenant's direct testimony that she was served with the 10 day notice to end tenancy issued for unpaid rent. The Tenant also confirmed that she is in arrears for the amount sought by the Landlord of \$3,700.00. 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 claim, I find based upon the Tenant's direct testimony that the Landlord's application for \$3,700.00 has been established for unpaid rent. The Landlord is also entitled to recovery of the \$50.00 filing fee.

Although the Landlord has applied to retain the security deposit, the Landlord has failed to provide any details in his application. When questioned during the hearing, the Landlord declined to provide any details about the security deposit. As such, I decline to make any order concerning the security deposit for this hearing.

The Landlord is granted a monetary order for \$3,750.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Landlord is granted an order of possession and a monetary order for \$3,750.00.

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

Dated: January 16, 2014

Residential Tenancy Branch

