



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Lombardy Management Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Codes: MNR, OPR, FF

Introduction:

This was an application by the landlord for an Order for Possession and a Monetary Order pursuant to a Notice to End the tenancy for non-payment of rent dated August 21, 2013 and a decision dated October 8, 2013 in file No. xxxxxx. Only the landlord attended the hearing.

Issues:

Is the landlord entitled to an Order for Possession and Monetary Order?

Background and Evidence:

The landlord's agents testified that they acquired the mobile home park recently that the tenancy began about three years ago. Although the landlords do not have a written tenancy agreement they testified that the current rent is \$ 285.00 as of January 1, 2014. The previous rent was \$ 275.00 due in advance on the first day of each month without any security deposit. The landlords testified that they served the Notice to End the tenancy on August 21, 2013 by handing it to him. They testified that they also handed the tenant the dispute resolution package on December 2, 2013. The tenant's application to cancel the Notice to End the Tenancy dated August 21, 2013 was dismissed on October 8, 2013 in file No. xxxxxx. The landlord is now asking for an Order for Possession pursuant to that Notice to End the Tenancy and the previous hearing. The landlord is also seeking \$ 3,000.00 in outstanding rent from December 2012 through January 2014.

Analysis:

Pursuant to section 64(2)(c) of the Act, and the evidence of the landlords I find that the dispute package has been served by December 2, 2013. The tenant has not paid all the outstanding rent on time and his application to cancel the Notice was dismissed at the hearing on October 8, 2013. Based on the above facts I find that the landlord is entitled to an order for possession effective two days after service on the tenant. I find that the

landlord have established a claim for unpaid rent totalling \$ 3,000.00. The landlord is entitled to recover the \$ 50.00 filing fee for this application for a total claim of \$ 3,050.00.

Conclusion:

I have granted the landlord an Order for Possession. This order may be filed in the Supreme Court and enforced as an Order of that Court. I grant the landlord an order under section 60 for the balance due of **\$ 3,050.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court. This Decision and all Orders must be served on the tenant as soon as possible.

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: January 14, 2014

Residential Tenancy Branch