



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

The landlord applies for an order of possession pursuant to a ten day Notice to End Tenancy served February 7, 2014 and for a monetary award for unpaid February rent and anticipated loss of March and April rental income.

The facts are not in dispute. The tenants' income has been disrupted. They have been unable to pay the rent as it becomes due. They were able to pay the outstanding February rent of \$1220.00 but only this morning. They have not paid any money for March. They have no certain prospect of receiving any definite monies on any definite date in the near future.

The landlord's representative acknowledges the tenants have kept her apprised of their difficulties but says the landlord must receive its rent.

In these circumstances s.46 of the *Residential Tenancy Act* is strict. The law does not permit any extension of time to pay the rent. This tenancy ended by law on February 18, 2014 and the landlord is entitled to an order of possession.

I award the landlord loss of March rental income of \$1220.00 plus the \$50.00 filing fee for this application. I consider it too early to say the landlord will lose April rental income because of these tenants and so I dismiss that aspect of the claim but with leave to re-apply should a loss be suffered.

I authorize the landlord to retain the \$517.50 security deposit in reduction of the amount awarded. There will be a monetary order against the tenants jointly and severally for the remainder of \$752.50.

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: March 20, 2014

Residential Tenancy Branch

