



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This is an application for an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, and a request for a Monetary Order for outstanding rent. The applicant is also requesting 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 March 19, 2014 however the respondent did not join the conference call that was set up for the hearing.

Document sent by registered mail are deemed served five days after mailing, and therefore it's my finding that the respondent has been duly served with notice of today's hearing. The hearing therefore proceeded in the absence of the respondent.

All testimony was taken under affirmation.

Issue(s) to be Decided

Is the landlord entitled to an Order of Possession?

Is the landlord entitled to a Monetary Order for outstanding rent?

Background and Evidence

The applicant testified that:

- This tenancy began October 1, 2013 with a monthly rent of \$500.00.
- The tenant failed to pay a portion of the December 2013 rent, and failed to pay the full January 2014 rent, and therefore on January 3, 2014 the tenant was served with a 10 day Notice to End Tenancy.
- That Notice to End Tenancy was upheld in a previous hearing, and therefore they are requesting an Order of Possession based on that notice.
- The tenant has also failed to pay any further rent and therefore they are requesting a Monetary Order as follows.

December 2013 rent outstanding	\$125.00
January 2014 rent outstanding	\$500.00
February 2014 rent outstanding	\$500.00
March 2014 rent outstanding	\$410.00
April 2014 rent outstanding	\$410.00
Filing fee	\$50.00
Total	\$1995.00

The rent amount is different for the months of March 2014 and April 2014, because the tenant was granted some deductions from the rent in a previous dispute resolution hearing.

Analysis

It is my finding that the landlord has shown that the tenant was served with a valid 10 day Notice to End Tenancy and that that notice was upheld in a previous Dispute Resolution Hearing. I therefore allow the request for an Order of Possession.

It is also my finding that the landlord has established that there is a total of \$1945.00 in rent outstanding to the end of April 2014, and therefore I also allow the full monetary claim, including the filing fee.

Conclusion

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

I have issued a Monetary Order in the amount of \$1995.00.

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: April 16, 2014

Residential Tenancy Branch

