



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, O, FF, MNR, MNSD, OPR

Introduction

This decision deals with two applications for dispute resolution, one brought by the tenant and one brought by the landlords. Both files were to be heard together, however the applicant/tenants did not appear at the time and date scheduled for the hearing and therefore since they are well aware of the scheduled date and time, the hearing proceeded and dealt with the landlord's application only.

The landlord's application is a request 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, and recovery of the filing fee.

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 and if so in what amount?

Background and Evidence

The landlord testified that:

- The tenants had fallen substantially behind in the rent and therefore on March 3, 2014 a 10 day Notice to End Tenancy was posted on the tenant's door.
- To date, the tenants have failed to comply with that notice and a failed to pay any further rent.

- He is therefore requesting an Order of Possession for as soon as possible and a Monetary Order for the outstanding rent to the end of April 2014. The breakdown of the outstanding rent is as follows:

December 2012 rent outstanding	\$390.00
January 2013 rent outstanding	\$520.00
February 2013 rent outstanding	\$650.00
March 2013 rent outstanding	\$375.00
May 2013 rent outstanding	\$650.00
June 2013 rent outstanding	\$231.07
November 2013 rent outstanding	\$750.00
December 2013 rent outstanding	\$750.00
January 2014 rent outstanding	\$375.00
February 2014 rent outstanding	\$750.00
March 2014 rent outstanding	\$750.00
April 2014 rent outstanding	\$750.00
Filing fee	\$50.00
Total	\$6991.07

Analysis

After reviewing the landlords evidence it is my finding that the landlord has shown that, at this time, there is a total of \$6,941.07 in rent outstanding, and I therefore allow the landlords request for a Monetary Order for the outstanding rent.

It is also my finding that the tenants have been served with a valid 10 day Notice to End Tenancy and have failed to comply with that notice, and therefore I also allow the request for an Order of Possession.

I further allow the request for recovery of the filing fee.

Conclusion

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

I have allowed the landlords full monetary claim of \$6,991.07 and I therefore Order that the landlord may retain the full security deposit of \$325.00 and I have issued a Monetary Order in the amount of \$6,666.07.

The tenant's application is dismissed in full without leave to reapply.

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 30, 2014

Residential Tenancy Branch

