



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Nav Holdings Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

OPR, FF, & MNR

Introduction

This is an application for an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, a request for a Monetary Order for outstanding rent, and a request for recovery of the \$50.00 filing fee.

The applicant testified that the respondent was served with notice of the hearing by personal service on March 21, 2014, however the respondent did not join the conference call that was set up for the hearing.

It's my finding that the respondent has been properly served with notice of today's hearing and therefore this hearing proceeded without the tenant.

All testimony was taken under affirmation.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to an Order of Possession for unpaid rent and to a Monetary Order for unpaid rent and the filing fee, pursuant to sections 46, 55, 67 & 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

The landlord testified that:

- The tenant had fallen well behind on the rent and therefore on February 1, 2013 the tenant was served with a 10 day Notice to End Tenancy.

- The tenant has failed to comply with that notice and now there is a total of \$2749.80 in rent outstanding.
- They are therefore requesting an Order of Possession for soon as possible and a Monetary Order for the outstanding rent.

Analysis

It is my finding that the landlords have shown that the tenant was served with a valid 10 day Notice to End Tenancy and has failed to comply with that notice and I therefore allow the request for an Order of Possession.

It is also my finding that as of today's date the landlord has shown that there is a total of \$2749.80 in rent outstanding and I therefore also allow the request for a Monetary Order for that outstanding rent.

I further allow the request for recovery of the \$50.00 filing fee.

Conclusion

I find that the landlord is entitled to an Order of Possession effective **two days after service on the tenant**. This order must be served on the tenant and may be filed in the Supreme Court and enforced as an order of that Court.

I find that the landlord is entitled to monetary compensation pursuant sections 67 & 72 in the amount of **\$2799.80** comprised of the total rent outstanding to the end of May 2014, plus the \$50.00 filing fee. This order must be served on the tenant and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

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: May 07, 2014

Residential Tenancy Branch

