



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Roysor Enterprises Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNR, OPR

### 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 registered mail that was mailed on March 27, 2014 however the respondent did not join the conference call that was set up for the hearing.

Pursuant to section 90 of the Residential Tenancy Act, documents sent by registered mail are deemed served five days after mailing and therefore it is my finding that the respondent has been properly served with notice of the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

Is the landlord entitled to an Order of Possession?

Is landlord entitled to a Monetary Order for outstanding rent, and if so in what amount?

### Background and Evidence

The applicant testified that:

- The tenant has fallen well behind on the rent and therefore on March 12, 2014 the tenant was served, by registered mail, with a 10 day Notice to End Tenancy for nonpayment of rent.
- To date the tenant has failed to comply with that notice and has failed to pay any further rent.
- They are therefore requesting an Order of Possession for as soon as possible and a Monetary Order as follows:

October 2011 rent outstanding	\$240.00
July 2012 rent outstanding	\$255.00
December 2013 rent outstanding	\$255.00
January 2014 rent outstanding	\$255.00
February 2014 rent outstanding	\$255.00
March 2014 rent outstanding	\$255.00
April 2014 rent outstanding	\$255.00
May 2014 rent outstanding	\$255.00
Filing fee	\$50.00
Total	\$2075.00

### Analysis

I have reviewed the evidence provided by the landlord and it is my finding that the landlord has shown that at this time there is a total of \$2025.00 in rent outstanding and I therefore allow the landlords request for a Monetary Order for that outstanding rent.

The landlord has also shown that the tenant was served with a valid 10 day Notice to End Tenancy and I therefore also allow the request for an Order of Possession.

Having allowed the landlords full claim I also order recovery of the filing fee.

Conclusion

Pursuant to section 48 of the Manufactured Home Park Tenancy Act I have issued an Order of Possession to the landlord that is enforceable 20 days after service on the tenant.

Pursuant to section 60 of the Manufactured Home Park Tenancy Act I have issued a Monetary Order in the amount of \$2075.00.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: May 22, 2014

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Residential Tenancy Branch

