



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Codes: MNR, OPR, SD

Introduction:

This was an application by the landlord for an Order for Possession, a Monetary Order and an Order to retain the security deposit in partial satisfaction of the monetary claim. Only the landlord attended at the application.

Issues:

Is the landlord entitled to an Order for Possession and Monetary Order?

Background and Evidence:

Based upon the evidence of the landlord I find that the tenancy began on September 1, 2013 with rent in the amount of \$ 800.00 due in advance on the first day of each month. The tenant paid a security deposit of \$ 400.00 on August 15, 2013.

Analysis:

Based on the evidence of the landlord I find that the tenant was personally served with a Notice to End Tenancy for non-payment of rent on April 2, 2014 handing it to him on that day. I find that the application for Dispute Resolution was served on April 1, 2014 by registered mail. The tenant has not paid all the outstanding rent on time and has not applied for arbitration to dispute the Notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. Based on the above facts I find that the landlord is entitled to an order for possession effective two days after service on the tenant. I find that the landlord has established a claim for unpaid rent totaling \$ 400.00 for one half of the month(s) of June 2014 and the landlord has liberty to reapply for the balance of June should he be unable to re rent the unit for the balance of the month. The landlord is entitled to recover the \$50.00 filing fee for this application for a total claim of \$ 450.00.

Conclusion:

I have granted the landlord an Order for Possession. This order may be filed in the Supreme Court and enforced as an Order of that Court. I order that the landlord retain the deposit and interest of \$ 400.00 and I grant the landlord an order under section 67 for the balance due of **\$ 50.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court. This Decision and all Orders must be served on the tenant as soon as possible.

Dated: June 2, 2014

Residential Tenancy Branch

