



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Haven Management Co. Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This hearing was convened to address a claim by the landlord for an order of possession and a monetary order. Despite having been personally served with the application for dispute resolution and notice of hearing on July 17, the tenant did not participate in the conference call hearing.

Issues to be Decided

Is the landlord entitled to an order of possession?
Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The landlord's undisputed evidence is as follows. The tenancy began on July 1, 2012 and after a legal rent increase, the tenant was obligated to pay \$807.00 per month in rent. As of July 1, 2014, the tenant was \$1,616.00 in arrears in rent. On July 9, the landlord personally served on the tenant a 10 day notice to end tenancy for unpaid rent (the "Notice"). The tenant did not dispute this Notice. The landlord acknowledged that the tenant had paid September's rent since the Notice was served, but had not satisfied all arrears owing.

The landlord seeks an order of possession, a monetary order for unpaid rent and an order permitting her to recover the \$50.00 filing fee paid to bring this application.

Analysis

I accept the landlord's undisputed testimony and I find that the tenant failed to pay rent when due. I find that the tenant received the Notice on July 9. The tenant did not fully satisfy the arrears owing and did not apply to dispute the Notice and is therefore

conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. I grant the landlord an order of possession. This order must be served on the tenant and may be filed in the Supreme Court for enforcement should the tenant not comply with the order.

I find that the tenant is responsible to pay the \$1,616.00 in rent which is owing for the months of July and August. As the landlord has been successful in her application, I find she is entitled to recover the \$50.00 filing fee. I award the landlord a total of \$1,666.00 and I grant her a monetary order under section 67 for this sum. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted an order of possession and a monetary order for \$1,666.00.

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: September 29, 2014

Residential Tenancy Branch

