



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, RP, OPR, OPC, MNR, MNDC, MNSD, FF

Introduction

In the first application the tenants seek to cancel a ten day Notice to End Tenancy for unpaid rent dated September 3, 2014 and a one month Notice to End Tenancy for cause also dated September 3, 2014. They seek an order that the landlord comply with the law and make repairs.

In the second application the landlord seeks an order of possession pursuant to either Notice and a monetary award for unpaid rent and loss of rental income.

Neither tenant attended the hearing. The landlord's representative attended and was ready to proceed. In these circumstances the tenants' application is dismissed.

I am satisfied the landlord's application was served on each tenant by registered mail sent to their residence on October 11, 2014. The mail has gone unclaimed as of this date. In accordance with s. 90 of the *Residential Tenancy Act* the tenants are deemed to have received it, whether they claim the mail or not.

I find that this tenancy ended on September 14, 2014 as a result of the ten day Notice to End Tenancy and the landlord is entitled to an order of possession.

On the undisputed evidence of Ms. S.A. for the landlord I find he is owed \$900.00 for unpaid August rent, \$1200.00 for unpaid September rent, \$1200.00 for loss of rental income from October and \$1200.00 for loss of rental income from November. The landlord has limited its claim to \$5000.00 and so I award it the full \$5000.00 claimed, plus recovery of the \$50.00 filing fee.

I authorize the landlord to retain the \$600.00 security deposit in reduction of the amount awarded. There will be a monetary order against the tenants jointly and severally for the remainder of \$4450.00.

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: October 28, 2014

Residential Tenancy Branch

