



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, MNSD, FF

Introduction

The landlord applies for an order of possession pursuant to a ten day Notice to End Tenancy dated and served August 4, 2014 and for a monetary award for unpaid August and September rent.

The facts germane to the issues raised in this application are not in dispute. The tenant received the Notice but was not able to pay the full amount demanded in it within the five day period allowed, or at all. She did not apply to cancel the Notice. In these circumstances s. 46 of the *Residential Tenancy Act* is strict; the tenancy ends ten days after service of the Notice. I find this tenancy ended on August 15, 2014 and the landlord is entitled to an order of possession.

The tenant does not dispute owing \$550.00 unpaid rent from August or that nothing has been paid for September or October. I amend the landlord's application to include a claim for loss of rental income for October and I award her \$2350.00 for unpaid August rent and for loss of rental income from the months of September and October 2014, plus the \$50.00 filing fee. I authorize the landlord to retain the \$450.00 security deposit in reduction of the amount awarded. There will be a monetary order against the tenant for the remainder of \$1950.00.

At the hearing the tenant raised claims that the landlord had unlawfully entered and that the landlord is responsible for a bedbug problem in the rental unit. As stated at the hearing, in order for the tenant to pursue those claims she should contact the Residential Tenancy office to consider making her own application.

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 15, 2014

Residential Tenancy Branch

