



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNDC, MNSD, MNR, OPR

Introduction

This is an application for an Order of Possession based on Notice to End Tenancy for nonpayment of rent, a request for a monetary order for \$4800.00, and a request for recovery of the \$50.00 filing fee.

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicants the opportunity to testify at the hearing.

The applicant(s) testified that the respondent(s) were served with notice of the hearing by personal service on September 3, 2014 however the respondent(s) did not join the conference call that was set up for the hearing and I therefore proceeded with the hearing in the respondent's absence.

All testimony was taken under affirmation.

Issue(s) to be Decided

Have the applicant's established the right to an Order of Possession?

Have the applicant's established a monetary order against the respondent's and if so in what amount.

Background and Evidence

They originally rented the entire rental property to one tenant (initials W.D. above) for \$2100.00 per month; however that tenant then allowed other people to move into the rental property to assist in paying the rent.

The rent however has not been paid in full for numerous months and therefore a Notice to End Tenancy was served on the tenant's.

The landlords and therefore requesting an Order of Possession were soonest possible, and a monetary order for outstanding rent and utilities as follows:

June 2014 rent outstanding	\$100.00
July 2014 rent outstanding	\$300.00
August 2014 rent outstanding	\$2100.00
September 2014 rent outstanding	\$1520.00
January 2014 through March 2014 utilities	\$125.00
April 2014 through June 2014 utilities	\$125.00
July 2014 through September 2014 utilities	\$125.00
Filing fee	\$50.00
Total	\$4445.00

Analysis

First of all it is my decision that I have removed all but the tenant whose initials are W.D. from any orders issued, as she is the only one who is in a tenancy agreement with the

landlords. The other parties named on the application are not parties to the tenancy agreement, and are simply occupants.

Is my finding that the landlords have shown that the tenant was served with a valid 10-day Notice to End Tenancy, and has failed to comply with that notice, and I therefore grant the request for an Order of Possession.

It is also my finding that the landlords have shown that there is a total of \$4020.00 in rent outstanding to the end of September 2014, and a total of \$375.00 in utilities outstanding to the September 2014, and I therefore also allow the request for a Monetary Order for those outstanding amounts.

I further grant the request for recovery of the \$50.00 filing fee.

Conclusion

I have issued an Order of Possession that is enforceable two days after service on the respondent.

I have issued a Monetary Order in the amount of \$4445.00.

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 22, 2014

Residential Tenancy Branch

