



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes O, CNC, CNR, MT, FF, MNR, MNSD, OPR

Introduction

This decision deals with two applications for dispute resolution, one brought by the tenant and one brought by the landlords. Both files were scheduled to be heard together; however the tenant did not appear at the time and place scheduled for the hearing, and therefore the tenant's application was dismissed and only the landlord's application was dealt with at the hearing.

The landlord's application is a request for an Order of Possession and request for a Monetary Order for outstanding rent and recovery of the filing fee, and a request to retain the full security deposit towards the claim.

Issue(s) to be Decided

Have the landlords established the right to an Order of Possession?

Have the landlords established a monetary claim against the tenant, and if so in what amount.

Background and Evidence

This tenancy began on August 1, 2014 with a monthly rent of \$675.00.

The tenant has failed to pay any rent for the month of September 2014, October 2014, and November 2014 for a total of \$2025.00.

The tenant was personally served with a 10 day Notice to End Tenancy on September 2, 2014, and was also served with a 10 day Notice to End Tenancy on September 17, 2014. The tenant has failed to comply with either of the ten-day notices to end the tenancy.

The landlords are therefore requesting an Order of Possession for as soon as possible and a Monetary Order for the outstanding rent.

Analysis

It is my finding that the landlord has shown that this tenancy began on August 1, 2014 with a monthly rent of \$675.00 and that a security deposit of \$337.00 was paid on September 18, 2014.

It is also my finding that the landlords have shown that the tenant has failed to pay any rent for the months of September 2014, October 2014, and November 2014.

I also find that the tenant has been duly served with a valid ten-day Notice to End Tenancy for nonpayment of rent and has failed to comply with that notice.

I therefore I allow the request for an Order of Possession, and for a Monetary Order for the outstanding rent and recovery of the filing fee.

Conclusion

I have issued an Order of Possession to the landlords, which is enforceable two days after service on the tenant.

I have allowed a monetary claim of \$2075.00 and I therefore order that the landlords may retain the full security deposit of \$337.00, and I have issued a Monetary Order in the amount of \$1680.00.

The tenant's application to cancel a one-month Notice to End Tenancy and the ten-day Notice to End Tenancy is dismissed without leave to reapply.

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: November 13, 2014

Residential Tenancy Branch

