



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, CNR, MT, OPT, FF

Introduction

In the first application, by file number, the landlords seek an order of possession pursuant to a ten day Notice to End Tenancy dated December 22, 2014 and a monetary award for unpaid rent, dishonoured cheque expenses and extra work caused by the tenants.

In the second application the tenants seek to cancel the ten day Notice, for more time to apply to do so and for a possession order.

None of the tenants attended for the hearing. Their application is dismissed.

I find that the tenant Ms. D.C. was duly served with the ten day Notice by registered mail deemed received by her on December 27, 2014. I find that she was duly served with the landlords' application and hearing letter by registered mail sent January 9, 2015 and signed for by her on January 19, 2015. The other respondent tenants have not been served in accordance with s. 89 of the *Residential Tenancy Act*.

On the undisputed evidence of Mr. D. I grant the landlords an order of possession. This tenancy ended on January 7, 2015 pursuant to s. 46 of the *Residential Tenancy Act*.

I grant the landlords recover of December and January rent totalling \$3990.00, plus \$225.00 for NSF cheque charges as claimed. I find that the tenant Ms. D.C. caused the landlord Mr. A.D. two extra trips to the premises in a failed attempt to receive promised rent and that the landlord incurred out of pocket costs of \$60.00 in travel as a result. I grant the landlords recovery of the \$50.00 filing fee.

I authorize the landlords to retain the \$997.50 security deposit in reduction of the amount awarded. There will be a monetary order against Ms. D.C., the tenant who has been served, for the remainder of \$3327.50.

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: January 23, 2015

Residential Tenancy Branch

