



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, MNSD

### Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Both parties participated in the conference call hearing.

### Issues to be Decided

Is the landlord entitled to an order of possession?

Is the landlord entitled to a monetary order for unpaid rent and loss of income?

### Background and Evidence

The tenancy began on or about August 15, 2014 on a month to month basis. The tenancy is a verbal agreement. . Rent in the amount of \$500.00 is payable in advance on the first day of each month. At the outset of the tenancy the landlord collected from the tenant a security deposit in the amount of \$250.00.

The landlord gave the following testimony:

The landlord stated she wants an order of possession based on a text message that the tenant might move out and that he has failed to pay the rent.

The tenant gave the following testimony:

The tenant stated that he has not given written notice to move out of the unit. The tenant stated that he has been waiting for the landlord to come pick up the rent since early December.

### Analysis

The landlord has not given any type of written notice to end the tenancy. The tenant stated he wasn't even sure why this hearing was being held. It was explained in great detail to the landlord the process that is necessary if she wishes to seek the items requested. In the matter before the landlord is premature in her application as she has yet to issue the tenant a notice.

### Conclusion

As there is no notice before me, I need not make a decision and no further action is required from the Branch at this time.

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 06, 2015

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Residential Tenancy Branch

