



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding MRB Holdings Ltd  
and [tenant name suppressed to protect privacy]

## **DECISION**

Codes: MNR, OPR, FF

### Introduction:

This was an application by the landlord for an Order for Possession and a Monetary Order pursuant to a Notice to End the Tenancy for Non-payment of rent dated November 5, 2014. Only the landlord's agent HM. attended the hearing.

### Issues:

Is the landlord entitled to an Order for Possession and Monetary Order?

### Background and Evidence:

The landlord's agent HM testified that the tenancy began some time in 2013 with rent in the amount of \$ 725.00 due in advance on the first day of each month. HM was unaware whether the tenant ever paid any security deposit. HM testified that he served the Notice to End the tenancy on November 5, 2014 by posting it to the tenant's door and the dispute resolution package by sending it to the tenant by registered mail. HM testified that he checked Canada Post's web site and determined that he tenant received the package on December 15, 2014. HM testified that the arrears from November through December 2014 were \$ 1,450.000 and that the tenant had not paid any rent for January 2015.

### Analysis:

Based on the evidence of the landlord I find that the tenant was deemed to have been personally served with a Notice to End Tenancy for non-payment of rent on November 8, 2014. I find that the application for Dispute Resolution was served on December 15, 2014 by registered mail. The tenant has not paid all the outstanding rent on time and

has not applied for arbitration to dispute the Notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. Based on the above facts I find that the landlord is entitled to an order for possession effective two days after service on the tenant. I find that the landlord has established a claim for unpaid rent totalling \$ 1,450.00 and the filing fee of \$ 50.00.

Conclusion:

I have granted the landlord an Order for Possession. This order may be filed in the Supreme Court and enforced as an Order of that Court. I grant the landlord an order under section 67 for the balance due of **\$ 1,500.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court. This Decision and all Orders must be served on the tenant as soon as possible.

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

