



Dispute Resolution Services

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Residential Tenancy Branch Office of Housing and Construction Standards

A matter regarding WALL FINANCIAL CORPORATION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes mndc, mnrc, opr, ff

Introduction

The landlord applies for an Order of Possession and a Monetary Order.

I accept that the tenant was served with the Application for Dispute resolution hearing package, which was handed to her in person.

Issues to Be Decided

- Is the Notice to End Tenancy served upon the tenant effective to end this tenancy, and entitle the landlord to an Order of Possession?
- Is there rent money due and payable by the tenant?

Background and Evidence

This tenancy began on May 18, 2014. Rent is due on the 1st day of each month in the amount of \$975.00. The landlord served the tenant with a 10-Day Notice to End Tenancy by posting it on the tenant's door on January 2, 2015, after not receiving rent for the month of January. The tenant did not pay the rent or apply for dispute resolution within the required five days of receiving the Notice to End Tenancy, and has now vacated the premises. There are rental arrears of \$975.00 for January, and a \$20.00 late fee owing to the landlord.

Analysis

As the landlord has already recovered possession of the premises, no Order of Possession is now required, and that portion of the claim is dismissed.

The landlord is entitled to recover the rental arrears, late fee and the filing fee from the tenant, which total \$1,045.00.

Conclusion

The request for an order of Possession is dismissed. The landlord is entitled to an award of \$1,045.00.

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: February 10, 2015

Residential Tenancy Branch

