



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This is an application filed by the landlord for an order of possession and a monetary order for unpaid rent and recovery of the filing fee.

The landlord attended the hearing by conference call and gave testimony. The tenant attended the hearing by conference call and did not submit any documentary evidence.

At the outset the tenant stated that she did not dispute the claim filed by the landlord and confirmed that rent has not been paid and that she is in rent arrears as claimed by the landlord.

Issue(s) to be Decided

Is the landlord entitled to an order of possession?
Is the landlord entitled to a monetary order?

Background, Evidence and Analysis

The landlord states that the tenant refused to pay rent arrears of \$160.00 for December 2014 and \$1,500.00 for January 2015.

The landlord states that the tenant was served with a 10 day notice to end tenancy issued for unpaid rent dated January 3, 2015. The notice states that the tenant failed to pay rent of \$1,660.00 that was due on January 3, 2015 and displays an effective end of tenancy date of January 13, 2015.

The tenant confirmed in her direct testimony that she has not paid rent as claimed by the landlord. The landlord states that as of the date of this hearing, the tenant is still occupying the rental unit and has not paid any rent for February as well. Both parties

confirmed that the tenant owed \$1,660.00 consisting of \$160.00 for December and \$1,500.00 for January. Both parties have confirmed that the tenant made a payment of \$400.00 at the end of January. Both parties confirmed that the tenant currently owes a total of \$2,760.00.

The tenant having confirmed the landlord's claim in her direct testimony that rent has not been paid has established a claim for an order of possession. The landlord is granted an order of possession. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I find that the landlord has established a total monetary claim of \$2,760.00. The landlord is also entitled to recovery of the \$50.00 filing fee. The landlord is granted a monetary order for \$2,810.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted an order of possession and monetary order for \$2,810.00.

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 03, 2015

Residential Tenancy Branch

