



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order and an order of possession. Both parties participated in the conference call hearing.

At the hearing, the landlord indicated that the tenant had not paid rent for the month of February and asked that this sum be included in an award. I find the amendment to be reasonable and allow the application to be amended.

Issues to be Decided

Is the landlord entitled to an order of possession?

Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The facts are not in dispute. The tenancy began in September 2014 and rent was set at \$2,195.00 per month, payable in advance on the first day of each month. The tenant failed to pay rent in the months of January and February. On January 2, 2015, the landlord served on the tenant a 10 day notice to end tenancy for unpaid rent.

At the hearing, the parties agreed that the landlord was entitled to an order of possession effective February 24, 2015.

The landlord seeks to recover loss of income for the months of January and February as well as strata fines totaling \$350.00.

Analysis

In support of the agreement of the parties, I grant the landlord an order of possession effective February 24, 2015. The order must be served on the tenant and may be filed in the Supreme Court for enforcement if required.

I find that the tenant was obligated to pay rent in the amount of \$2,195.00 per month and that he failed to do so in the months of January and February despite living in the rental unit. I find that the landlord is entitled to recover the arrears and I award her \$4,390.00. I dismiss the claim for strata fees as the landlord submitted no evidence to support her claim that she has been fined by the strata.

As the landlord has been substantially successful in her claim, I find she should recover the \$50.00 filing fee and I award her that sum for a total award of \$4,440.00.

Conclusion

The landlord is granted an order of possession and a monetary order for \$4,440.00.

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 16, 2015

Residential Tenancy Branch

