



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, O, FF
Introduction

The landlord applies for an order of possession pursuant to a ten day Notice to End Tenancy served January 16, 2015 and for a monetary award for unpaid rents.

The salient facts are not in dispute. The tenant did not and has not paid the \$1300.00 monthly rent for January or February. She has not applied to cancel the ten day Notice.

In these circumstances, section 46 of the *Residential Tenancy Act* provides that the tenant is conclusively presumed to have accepted the ending of this tenancy ten days after service of the Notice. I find this tenancy ended January 27, 2015 and the landlord is entitled to an order of possession.

The landlord is entitled to a monetary award for the \$2600.00 of January rent and loss of the February rental income, plus recovery of the \$50.00 filing fee paid for this application. I authorize the landlord to retain the \$650.00 security deposit. There will be a monetary order against the tenant for the remainder of \$2000.00.

At hearing the tenant raised certain complaints about repairs and improvements to the property. In order to pursue those complaints she must bring her own application for dispute resolution. They are not relevant to the issues raised in this application.

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 24, 2015

Residential Tenancy Branch

