



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, MNDC, FF

Introduction

The landlords, represented by their daughter Ms. R.W. apply for an order of possession pursuant to a ten day Notice to End Tenancy and for a monetary award for unpaid rent.

Neither tenant attended for the hearing.

Issue(s) to be Decided

Have the tenants been properly served? Are the landlords entitled to the orders requested?

Background and Evidence

According to Ms. R.W., the rental unit is a two bedroom apartment. The tenancy started in June 2013. The monthly rent is \$1200.00 and the landlords hold a \$600.00 security deposit.

The tenants were served with the ten day Notice to End Tenancy on or about April 1, 2015 by hand. They did not pay the amount demanded in the Notice within five days.

The tenants were served with the application and notice of hearing by registered mail. The records of the Canada Post office show that both packages were claimed and signed for by or on behalf the tenants on April 20, 2015.

Ms. R.W. indicates that the tenants have paid some money to the landlord since April but does not know how much. Given that uncertainty, she withdraws the landlord's claim for a monetary award. The landlords are free to re-apply in that regard.

Analysis

I find that the tenants have been duly served with the application and notice of hearing, in accordance with s. 89 of the *Residential Tenancy Act* (the “*Act*”).

They did not pay the amount demanded in the ten day Notice within five days after service and as a result, by operation of s. 46 of the *Act*, this tenancy ended on April 11, 2015. I grant the landlords an order of possession.

Conclusion

The landlords will have an order of possession. They are free to re-apply for unpaid rent or loss of rental income. I grant them recovery of the \$50.00 filing fee for this application and authorize them to recover it from the security deposit they hold.

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: May 29, 2015

Residential Tenancy Branch

