



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR ERP RP FF

Introduction

This hearing convened pursuant to the tenant's application to cancel a notice to end tenancy for unpaid rent, as well as for orders for repairs and emergency repairs. The tenant and the landlord participated in the teleconference hearing.

At the outset of the hearing, the landlord confirmed that they had received the tenant's application and evidence. Neither party raised any issues regarding service of the application or the evidence. Both parties were given full opportunity to give testimony and present their evidence. I have reviewed all testimony and other evidence. However, in this decision I only describe the evidence relevant to the issues and findings in this matter.

Issue(s) to be Decided

Is the notice to end tenancy valid?

If so, is the landlord entitled to an order of possession?

Should I make orders for repairs or emergency repairs?

Background and Evidence

The tenancy began in November 2011. Rent in the amount of \$565 is due in advance on the first day of each month.

The tenant failed to pay rent for May 2015, and on May 2, 2015 the landlord served the tenant with a notice to end tenancy for unpaid rent. The tenant acknowledged that he has had financial difficulties and he did not pay rent for May 2015. In the hearing the landlord orally requested an order of possession pursuant to the notice to end tenancy.

Analysis

Based on the evidence of the landlord and the tenant, I am satisfied that the notice to end tenancy for unpaid rent dated May 2, 2015 is valid. I therefore dismiss the tenant's application to cancel the notice. I find that the tenancy ended on May 12, 2015, the effective date of the notice. As the landlord orally requested an order of possession in the hearing, I accordingly grant the order of possession.

The tenant's application was not successful, and he is therefore not entitled to recovery of the filing fee for the cost of his application.

Conclusion

The tenant's application to cancel the notice to end tenancy dated May 2, 2015 is dismissed.

I grant the landlord an order of possession effective two days from service. 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.

As the tenancy has ended, I find it was not necessary to consider the tenant's application for orders for repairs and emergency repairs.

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

