



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF, MNR, OPR

### Introduction

This is an application brought by the Landlord(s) requesting an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, and a monetary order for outstanding rent.

The applicant(s) testified that the respondent was served with notice of the hearing by registered mail that was mailed on May 1, 2015; however the respondent did not join the conference call that was set up for the hearing.

Pursuant to section 90 of the Residential Tenancy Act, documents sent by registered mail are deemed served five days after mailing and therefore it is my finding that the respondent has been properly served with notice of the hearing. I therefore conducted the hearing in the respondent's absence.

All parties were affirmed.

### Issue(s) to be Decided

The issues are whether or not the applicant has the right to an Order of Possession and whether or not the applicant has established monetary claim against the respondent, and if so in what amount.

### Background and Evidence

This tenancy has a monthly rent of \$1500.00.

The tenant had fallen behind on the rent and therefore on April 7, 2015 the landlords sent a 10 day Notice to End Tenancy to the tenant by registered mail.

The tenant failed to comply with that Notice to End Tenancy and failed to pay the outstanding rent within the ten-day grace period.

The landlords therefore applied for dispute resolution on April 23, 2015 requesting an Order of Possession and a monetary order for the outstanding rent.

The landlords testified that, as of today's date, the tenant has failed to fully vacate the rental unit and has not paid any rent for the month of June 2015.

The landlords are therefore requesting an Order of Possession for as soon as possible and a monetary order for the June 2015 rent plus their \$50.00 filing fee.

### Analysis

It is my finding that the tenant was served with a valid 10 day Notice to End Tenancy and has failed to comply with that notice, and I therefore allow the landlords request for an Order of Possession.

I also accept the landlord's testimony that the tenant has failed to pay the full \$1500.00 June 2015 rent, and I therefore order that the tenant pay that outstanding rent.

I also allow the landlords request for recovery of the \$50.00 filing fee.

Conclusion

I have issued an Order of Possession that is enforceable two days after service on the respondent.

I have issued a Monetary Order in the amount of \$1550.00.

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: June 09, 2015

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Residential Tenancy Branch

