



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Codes: MNR, OPR, FF

### Introduction:

This was an application by the landlord for an Order for Possession, and a Monetary Order and. Only the landlord attended the application.

### Issues:

Is the landlord entitled to an Order for Possession and Monetary Order?

### Background and Evidence:

The landlord JM testified that the tenancy began on July 12, 2014 with rent in the amount of \$ 1,350.00 due in advance on the first day of each month. The tenant failed to pay any security deposit. JM testified that he served the Notice to End the tenancy on May 6, 2015 by posting it to the tenant's door and the dispute resolution package by sending it by registered mail on May 15, 2015 and placing it in the tenant's mail box on June 24, 2015. JM testified that he watched the tenant retrieve the package on that day. JM testified that the arrears from March through June 2015 were \$ 4,800.00.

### Analysis:

Based on the evidence of the landlord I find that the tenant was deemed to have been personally served with a Notice to End Tenancy for non-payment of rent on May 9, 2015 by posting it to the door. I find that the application for Dispute Resolution was deemed to have been served on May 20, 2015 by registered mail and was personally served for the purposes of the Act on June 24, 2015.

The tenant has not paid all the outstanding rent on time and has not applied for arbitration to dispute the Notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. Based on the above facts I find that the landlord is entitled to an order for possession effective two days after service on the tenant.

I find that the landlord has established a claim for unpaid rent totalling \$ 4,800.00 and the filing fee of \$ 50.00.

Conclusion:

I have granted the landlord an Order for Possession. This order may be filed in the Supreme Court and enforced as an Order of that Court. I grant the landlord an order under section 67 for the balance due inclusive of the \$ 50.00 filing fee totalling **\$ 4,850.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court. This Decision and all Orders must be served on the tenant as soon as possible.

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 29, 2015

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Residential Tenancy Branch

