



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding TOTAL CONCEPT DEVELOPMENTS LTD.
and [tenant name suppressed to protect privacy]

DECISION

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

Introduction

The landlord applies for an order of possession pursuant to a ten day Notice to End Tenancy dated May 8, 2015 and for a monetary award for unpaid rent, late fees and NSF fees.

The tenant did not attend the hearing.

Issue(s) to be Decided

Has the tenant been duly served? If so, is the landlord entitled to any of the relief claimed?

Background and Evidence

The rental unit is a two bedroom "plus den" apartment. The tenancy started November 1, 2013. The current monthly rent is \$1500.00, due on the first of each month, in advance. The landlord holds a \$750.00 security deposit and a \$250.00 pet damage deposit.

The landlord's representative testifies that the application for dispute resolution and the notice of hearing were served on the tenant by registered mail addressed to the dispute address. She confirms that the tenant was then residing there and that she has seen him at the premises since. The registered mail was "returned to sender."

I find that this service complies with the service requirements of s.89 of the *Residential Tenancy Act* (the "Act") and that the tenant has been duly served.

The landlord's representative testified to the amounts owing, as set out in the application and confirmed that the tenant paid \$1800.00 on or about August 20, 2015, in reduction of the outstanding balance.

Analysis

On the undisputed evidence I find that the ten day Notice has resulted in a ending of this tenancy on May 21, 2015 and that the landlord is entitled to an order of possession.

I grant the landlord a monetary award of \$625.00 for remaining March 2015 rent, \$4500.00 for unpaid rent or loss of rental income from the months April, May and June 2015, \$100.00 in late fees for the months March to June 2015, inclusive, \$70.00 for NSF charges for cheques dated May 27, 2015 and December 24, 2014, plus recovery of the \$100.00 filing fee, and less the \$1800.00 payment made in August 2015.

I authorize the landlord to retain the \$1000.00 in total deposit money in reduction of the amount awarded. There will be a monetary order against the tenant for the remainder of \$2595.00.

Conclusion

The landlord's application is allowed.

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: August 27, 2015

Residential Tenancy Branch

