



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPC MNR FF

### Introduction

This hearing dealt with the landlord's application for an order of possession and a monetary order for unpaid rent. The landlord's agent and the tenant participated in the teleconference hearing.

At the outset of the hearing, the tenant confirmed that he had received the landlord's application and evidence, and he did not submit any documentary evidence. Both parties were given full opportunity to give affirmed 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 landlord entitled to an order of possession pursuant to the notice to end tenancy?  
Is the landlord entitled to monetary compensation as claimed?

### Background and Evidence

The monthly rent is \$800.00, due in advance on the first day of each month. On May 20, 2015 the landlord served the tenant with a notice to end tenancy for cause. The notice indicates that the cause for ending the tenancy is that the tenant is repeatedly late paying rent. The tenant did not dispute the notice, and the landlord stated that they are seeking an order of possession effective August 31, 2015.

The tenant did not dispute that he had not paid \$400.00 of the rent for July 2015 or \$800.00 for August 2015.

### Analysis

The tenant did not dispute the notice to end tenancy dated May 20, 2015, and he is therefore conclusively presumed to have accepted that the tenancy ended on June 30, 2015, the corrected effective date of the notice. The landlord requested an order of possession effective August 31, 2015, and accordingly I grant the order for that date.

The tenant did not dispute the evidence that he owes \$1,200.00 in unpaid rent for July and August 2015. I therefore grant the landlord's monetary claim.

As the landlord's application was successful, they are entitled to recovery of the \$50.00 filing fee for the cost of the application.

### Conclusion

I grant the landlord an order of possession effective August 31, 2015. 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.

I grant the landlord an order under section 67 for the balance due of \$1,250.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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 13, 2015

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Residential Tenancy Branch

