



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

The landlord applies for an order of possession pursuant to an undated ten day Notice to End Tenancy for unpaid rent and for a monetary award for unpaid rent from November and December 2015.

The facts pertinent to the relief sought are not in dispute between the parties and so no formal testimony was given.

The rental unit is a suite located in a converted barn on a property on which the landlord also resides. The tenancy started likely in May 2012. The monthly rent is \$375.00, due on the first of each month.

The tenant attended the hearing and reported that he was moving out by the end of January. The parties agreed that an order of possession would issue, by consent, effective February 1, 2016.

The landlord claims unpaid rent for November and December 2015. The tenant agrees the rent was unpaid. The landlord will have a monetary award of \$750.00 for that rent, plus the \$50.00 filing fee for a total of \$800.00.

The tenant raised a counterclaim at the hearing regarding work or services provided to the landlord. He was instructed that he must make his own application for dispute resolution or perhaps an application to the courts to proceed with that claim. Both parties were instructed to seek assistance with the Information Officers available to them at the Residential Tenancy Branch.

The landlord says there was no written tenancy agreement. The tenant says there were two. None were produced at the hearing. The landlord says there was no deposit money paid. The tenant says he paid a \$150.00 security deposit.

As stated at hearing, I grant the landlord a monetary order for \$800.00. If the tenant can produce evidence, (most often a tenancy agreement showing the deposit having been paid or a receipt for the deposit), he may deduct that amount from the award.

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: January 29, 2016

Residential Tenancy Branch

