



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, OPR, MND

Introduction

This is an application brought by the Landlord requesting an Order of Possession based on a Notice to End Tenancy for nonpayment of rent and requesting a Monetary Order in the amount of \$1603.80 and recovery of the \$100.00 filing fee.

The applicant(s) testified that the respondent was served with notice of the hearing by registered mail that was mailed on February 4, 2016; 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 and I therefore conducted the hearing in the respondent's absence.

The landlord's testimony was taken under affirmation.

Issue(s) to be Decided

First of all it is my decision that I will not deal with all the issues that the applicant has put on the application. For claims to be combined on an application they must related.

Not all the claims on this application are sufficiently related to the main issue to be dealt with together.

I therefore will deal with the request for an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, the request for an Order for outstanding rent, and a request for recovery of the filing fee. I dismiss the remaining claims with liberty to re-apply.

Background and Evidence

The applicant testified that this tenancy began in April of 2015 with a monthly rent of \$620.00.

The applicant further testified that the tenant failed to pay the February 2016 rent and therefore the tenant was served with a 10 day Notice to End Tenancy.

The applicant further testified that the tenant has failed to comply with that ten-day Notice to End Tenancy and now rent is outstanding for both February 2016, and March 2016 for a total of \$1240.00.

The landlord is therefore requesting an Order of Possession for as soon as possible and a Monetary Order for the outstanding rent and his filing fee.

Analysis

It is my finding that the landlord has shown that the tenant has failed to comply with a 10 day Notice to End Tenancy, and has failed to pay the outstanding rent, and therefore I allow the landlords request for an Order of Possession.

It is also my finding that the landlord has shown that the tenant has failed to pay rent for the months of February 2016 and March 2016 for a total of \$1240.00, and I therefore allow the landlords request for a Monetary Order for that outstanding rent.

I also allow the landlords request for recovery of the \$100.00 filing fee.

Conclusion

Pursuant to section 55 of the Residential Tenancy Act, I have issued an Order of Possession that is enforceable two days after service on the tenant.

Pursuant to section 67 of the Residential Tenancy Act I have issued a Monetary Order for the respondent to pay \$1340.00 to the landlord.

As stated above, the remainder of the landlord's monetary claim is dismissed with leave to reapply.

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: March 07, 2016

Residential Tenancy Branch

