



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, OPR

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 an Order for outstanding rent.

The applicants agent testified that the respondent was served with notice of the hearing by personal service on April 14, 2016, and the documents were also posted on the respondents door on that same date; however the respondent did not join the conference call that was set up for the hearing.

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.

All testimony was taken under affirmation.

Issue(s) to be Decided

The issues are whether or not the applicant has established the right to an Order of Possession, and whether or not the applicant has established monetary claim against the respondent, and if so in what amount.

Background and Evidence

The applicant's agent testified that this tenancy began on July 1, 2015 with a monthly rent of \$800.00.

The applicant's agent further testified that the tenant failed to pay the April 2016 rent and therefore on April 3, 2016 a 10 day Notice to End Tenancy was posted on the tenant's door.

The applicant's agent further testified that the tenant has failed to comply with the Notice to End Tenancy and has failed to pay any further rent, and therefore as of today's date the total rent outstanding is as follows:

April 2016 rent outstanding	\$800.00
May 2016 rent outstanding	\$800.00
June 2016 rent outstanding	\$800.00
Total	\$2400.00

The applicant is therefore requesting an Order of Possession for as soon as possible, and is requesting a Monetary Order for the outstanding rent.

Analysis

It is my finding that the applicant has shown that the tenant failed to pay the April 2016 rent and that as a result a 10 day Notice to End Tenancy was posted on the tenants door on April 3, 2016. Notices posted on the door are deemed served three days later and therefore, since the tenant has failed to comply with this notice, it is my finding that the landlords have the right to an Order of Possession.

It is also my finding that the landlords have shown that there is a total of \$2400.00 in rent outstanding, as of today's date, and it is my decision that the tenant must pay the

\$2400.00 rent, as she failed to vacate the rental unit, and therefore she should reasonably have anticipated that, more rent would be due.

Conclusion

Pursuant to sections 46 & 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 in the amount of \$2400.00.

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 20, 2016

Residential Tenancy Branch