



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 the outstanding rent.

The applicant testified that the respondent(s) were served with notice of the hearing by personal service on June 10, 2016; however the respondent(s) did not join the conference call that was set up for the hearing.

It is my finding that the respondent(s) have been properly served with notice of the hearing and I therefore conducted the hearing in the respondent's absence.

Both parties were affirmed.

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 applicants testified that this tenancy began on January 22, 2016 with a monthly rent of \$850.00 due on the first of each month.

The applicants further testified that the tenant failed to pay the May 2016 rent and therefore, on May 2, 2016, a 10 day Notice to End Tenancy was posted on the tenants door.

The applicants 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 \$1700.00.

The applicants are therefore requesting an Order of Possession for as soon as possible and a Monetary Order for the outstanding rent.

Analysis

It is my finding that the applicants have shown that the tenant has failed to pay any rent for the months of May 2016, and June 2016 and therefore there is a total of \$1700.00 in rent outstanding.

It is also my finding that the landlords have shown that the tenant was properly served with a 10 day Notice to End Tenancy and has failed to comply with that notice.

I therefore allow the landlords request for an Order of Possession, pursuant to sections 46 and 55 of the Residential Tenancy Act.

It is also my decision that the tenants must also pay the full outstanding rent of \$1700.00, as they have failed to vacate the rental unit and therefore they should reasonably have anticipated that, another month's rent would be due.

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 tenants.

Pursuant to Section 67 of the Residential Tenancy Act I've issued a Monetary Order in the amount of \$1700.00.

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 30, 2016

Residential Tenancy Branch