



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Sian Enterprises Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Codes: MNR, OPR

### Introduction:

This was an application by the landlord for an Order for Possession and a Monetary Order pursuant to a Notice to End the Tenancy for Non-Payment of Rent dated June 8, 2016. Only the landlord attended the application.

### Issues:

Is the landlord entitled to an Order for Possession and Monetary Order?

### Service of Documents:

The landlord testified that he served the Notice to End the tenancy on June 8, 2016 by posting it to the tenants' door and the dispute resolution package by handing it to two of the tenants who reside with the others on July 27, 2016. Based on the evidence of the landlord I find that the tenants were deemed to have been personally served with a Notice to End Tenancy for non-payment of rent on June 11, 2016 by posting it to the door on June 8, 2016. I find that the application for Dispute Resolution was personally served on June 27, 2016 on all the tenants by handing it to two of them.

### Background and Evidence:

The landlord testified that the tenancy began on September 24, 2015 with rent in the amount of \$ 1,000.00 due in advance on the first day of each month. There was no security deposit. The landlord claimed for an Order for possession and recovery of the arrears from September 2015 to July 2016 were \$ 11,000.00.

### Analysis:

The tenants have not paid all the outstanding rent on time and have not applied for arbitration to dispute the Notice and are therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. Based on the above facts I find that the landlord is entitled to an order for possession effective two days after service on the tenants. I find that the landlord has established a claim for unpaid rent totalling \$ 11,000.00.

Conclusion:

I have granted the landlord an Order for Possession. This order may be filed in the Supreme Court and enforced as an Order of that Court. I grant the landlord an order under section 67 for in the amount of **\$ 11,000.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court. This Decision and all Orders must be served on the tenants as soon as possible.

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 08, 2016

---

Residential Tenancy Branch

