



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNC, MT, OPR, MNR, MNSD, FF

Introduction

In the first application the tenants seek to cancel a ten day Notice to End Tenancy for unpaid rent received August 11, 2016 and to cancel a one month Notice to End Tenancy for cause. They also seek more time to apply.

In the second application the landlord Ms. A.S. seeks an order of possession pursuant to the ten day Notice and for a monetary award for unpaid rent.

Neither tenant attended for the hearing within 30 minutes after its scheduled start time. The landlord attended and was ready to proceed. As a result the tenants' application is dismissed without leave to re-apply. Pursuant to s. 55 of the *Residential Tenancy Act*, in such circumstances, the landlord is entitled to an order of possession and I grant that order.

The landlord's representative Ms. J.S. shows that the tenants had been served with the landlord's application by registered mail (tracking number shown on cover page of this decision). Canada Post records show that the mail was retrieved by the tenant Mr. G.F. on September 27, 2016. I find that the tenants were duly served with the landlord's application.

On the uncontested evidence of Ms. J.S. I find that the landlord is owed the \$1700.00 per month rent for the months of July and August 2016 and for occupation rent of \$1700.00 for the months of September and November 2016. I award the applicant landlord \$6800.00 accordingly, plus recovery of the \$100.00 filing fee.

I authorize the landlord to retain the \$850.00 security deposit in reduction of the amount awarded. There will be a monetary order against the tenants for the remainder of \$6050.00.

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: October 18, 2016

Residential Tenancy Branch