



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Metro Vancouver Housing Corporation
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes FF, MNR, OPR

Introduction

This is an application brought by the Landlord(s) 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 \$3092.00, and recovery of the \$100.00 filing fee.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed on October 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.

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 a Monetary Claim against the respondent, and if so in what amount.

Background and Evidence

The applicant testified that this tenancy began on July 10, 2015 and the present monthly rent is \$1023.00 due on the first of each month.

The applicant further testified that the tenant failed to pay a portion of the August 2016 and rent, and the full September 2016 rent, and therefore on September 14, 2016 a 10 day Notice to End Tenancy was posted on the tenant's door.

The applicant 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 following rent is outstanding:

August 2016 rent outstanding	\$23.00
September 2016 rent outstanding	\$1023.00
October 2016 rent outstanding	\$1023.00
November 2016 rent outstanding	\$1023.00
Total	\$3092.00

The applicant is therefore requesting an Order of Possession for as soon as possible, and a Monetary Order for the outstanding rent and recovery of the \$100.00 filing fee.

Analysis

After reviewing the evidence and testimony of the applicant it is my finding that the applicant has shown that the tenant has a total of \$3092.00 in outstanding rent, and I therefore allow the landlords full monetary amount requested.

It is also my finding that the landlord has served the tenant with a valid 10 day Notice to End Tenancy, and since the tenant has failed to comply with that notice within the required timeframe, I also allow the landlords request for an Order of Possession.

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 sections 67 and 72 of the Residential Tenancy Act I have issued a Monetary Order in the amount of \$3192.00.

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: November 23, 2016

Residential Tenancy Branch