



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, OPR, MNR, MNSD, FF

Introduction

In the first application, by filing number, the landlord seeks an order of possession pursuant to a ten day Notice to End Tenancy for unpaid rent dated January 15, 2017 and for a monetary award for unpaid rent.

In the second application the tenant applies to cancel the ten day Notice.

The tenant did not attend the hearing within 15 minutes after its scheduled start time. As a result, his application is dismissed. Pursuant to s. 55 of the *Residential Tenancy Act* (the “Act”) the landlord will have an order of possession.

The landlord demonstrated that the tenant was served with his application for dispute resolution and notice of hearing by registered mail addressed to the rental unit, in which the tenant still lives. Canada Post records (mail tracking number shown on cover page of this decision) show that the mail was sent January 25, 2017 and that it has gone “unclaimed by recipient.”

Pursuant to ss. 89 and 90 of the *Act* I find that the tenant has been duly served with the landlord’s application.

On the undisputed evidence of the landlord I find that the tenant has not paid rent for December 2016 or for January 2017. I award the landlord \$1200.00 for unpaid rent and I award him an additional \$600.00 for occupation rent for February 2017, all as claimed.

I award the landlord recovery of the \$100.00 filing fee for his application.

I authorize the landlord to retain the \$300.00 security deposit in reduction of the amount awarded. He will have a monetary order against the tenant for the remainder of \$1600.00.

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: February 16, 2017

Residential Tenancy Branch