



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, OPR, OPC, MND, MNDC, FF

Introduction

The landlords apply for an order of possession pursuant to a ten day Notice to End Tenancy served February 15, 2017 and a one month Notice to End Tenancy for cause served January 31, 2017. They also seek a monetary award for unpaid rent and damages for anticipated costs for cleaning and repair of the premises after the tenant vacates.

It was determined at hearing that the landlords' claim for anticipated costs is premature. They are free to re-apply once their loss, if any, has been determined.

The tenant testifies that the issues relating to cause for eviction have been resolved. She acknowledges that she has not paid the \$1200.00 February rent demanded in the ten day Notice, nor has she applied to cancel it.

On these facts it is apparent that, by operation of s. 46 of the *Residential Tenancy Act*, the ten day Notice has had the effect of causing this tenancy to end. It ended ten days after receipt of the Notice, that is: February 26, 2017.

As a result, the landlords are entitled to an order of possession.

The landlords are also entitled to recovery \$1200.00 for unpaid February rent and \$1200.00 for occupation rent for the month of March. I award the landlords \$2400.00 plus recovery of the \$100.00 filing fee for this application.

By agreement of the landlords I authorize them to retain the \$600.00 security deposit in reduction of the amount owing. They will have a monetary order against the tenant for the remainder of \$1900.00.

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: March 30, 2017

Residential Tenancy Branch