Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BC LTD 0937715
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes   OPR, MNR, FF

Introduction

The landlord applies for an order of possession pursuant to a ten day Notice to End Tenancy dated May 11, 2017 and for a monetary award for unpaid March and April 2017 rent.

The tenant did not attend the hearing within ten minutes after its scheduled start time. Ms. P.D. for the landlord showed that the tenant had been served with the application for dispute resolution and notice of hearing by registered mail (tracking number on cover page of this decision) sent May 25, 2017. Canada Post records show the mail was "unclaimed by recipient" and returned to the landlord.

I find the tenant has been duly served with the application and notice of hearing. A party cannot avoid this process by declining to retrieve registered mail.

Ms. P.D. testifies that she attached the ten day Notice to the tenant's door on May 11, 2017 and that the tenant has neither paid the rent demanded in it nor applied to cancel the Notice. I find the Notice has been duly served in accordance with s. 88 of the *Residential Tenancy Act* (the "*Act*") and that this tenancy ended on May 23, 2017 by operation of s. 46 of the *Act.*

The landlord will have an order of possession.

I accept Ms. P.D.'s un-contradicted evidence that the tenant did not pay $885.00 of the March rent nor $1100.00 for April's rent. I award the landlord $1985.00 as claimed plus recovery of the $100.00 filing fee. There will be a monetary award against the tenant in the amount of $2085.00.

As stated at hearing, the landlord is at liberty to apply any deposit money it holds against the monetary order issued here.

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: July 10, 2017

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Residential Tenancy Branch