



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

matter regarding CAPREIT LTD PARTNERSHIP

DECISION

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

Introduction

The landlord applies for an order of possession pursuant to a one month Notice to End Tenancy for repeated late payment of rent dated July 27, 2017, for a monetary award for unpaid rent and occupation rent and for damages for damage to the premises and for a breach of the tenancy agreement.

Neither tenant attended for the hearing within twenty minutes after its scheduled start time. The landlord's representative Ms. D. shows that each tenant was served with the application and notice of hearing by registered mail sent to the rental unit, which the tenants continue to reside in (registered mail tracking numbers shown on cover page of this decision). Canada Post records show that both mailings were received and signed for on September 14, 2017. On this evidence I find that both tenants have been duly served in accordance with s. 89 of the *Residential Tenancy Act*.

Ms. D. shows that the landlord attached the one month Notice to the tenants' door on July 27, 2017. She confirms that the tenants have not applied to cancel the Notice and have not moved out.

I find that the Notice resulted in this tenancy coming to an end on August 31, 2017. The landlord is entitled to an order of possession.

On Ms. D.'s undisputed evidence I grant the landlord a monetary award for \$1500.00 for unpaid August 2017 rent, plus \$25.00 for each of the late fee and NSF charges provided for in the written tenancy agreement.

I award the landlord \$1500.00 as occupation rent for September and \$1500.00 as occupation rent for October.

The landlord's claim for damages for damage to the premises or for a breach of the tenancy agreement was not pursued at this hearing.

The landlord is entitled to an award totalling \$4550.00, plus recovery of the \$100.00 filing fee for this application.

I authorize the landlord to retain the \$750.00 security deposit in reduction of the amount awarded. The landlord will have a monetary order against the tenants for the remainder of \$3900.00.

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 24, 2017

Residential Tenancy Branch