



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

Introduction

The landlord applies for an order of possession pursuant to a ten day Notice for unpaid rent dated September 25, 2017 and for unpaid rent for September and October, as well as utilities of \$150.00.

The tenant did not attend the hearing within 25 minutes after its scheduled start time. The landlord shows that the tenant was served with the application for dispute resolution and notice of hearing by registered mail (Canada Post tracking number shown on cover page of this decision). Canada Post records show that the mail was "refused by recipient." A party cannot avoid this process by refusing to collect her mail. I find the tenant has been duly served.

On the undisputed evidence of the landlord I find that the Notice was deemed to have been received by the tenant on September 28 and that the tenant has not paid the rent or applied to cancel the Notice. As a result this tenancy ended by operation of s.46 of the *Residential Tenancy Act* on October 9, 2017 and the landlord is entitled to an order of possession.

I find that the tenant owes the landlord \$1750.00 for September and October rent plus \$100.00 for utilities for a total of \$1850.00. I award the landlord recovery of the \$100.00 filing fee for this application. I authorize the landlord to retain the \$437.50 security deposit in reduction of the award. She will have a monetary order against the tenant for the remainder of \$1512.50.

This decision was rendered orally at hearing and 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 08, 2017

Residential Tenancy Branch