



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 to End Tenancy for unpaid rent dated and served on the tenant by the landlord's hand on December 9, 2017. He also seeks a monetary award for unpaid rent.

The tenant did not attend the hearing within ten minutes after its scheduled start time. The landlord shows that the tenant was served with the application and notice of hearing by registered mail to the rental unit where, he testifies, the tenant continues to reside. Canada Post records for the mail (tracking number shown on cover page of this decision) show that the mail was redirected to the recipient's new address but ultimately "unclaimed by recipient" and returned to the landlord.

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

I find that this tenancy ended on December 20, 2017 by operation of s. 46 of the *Residential Tenancy Act*. The landlord will have an order of possession.

On the undisputed evidence of the landlord I find that he is owed \$300.00 outstanding November 2017 rent, \$900.00 for December rent and \$900.00 for January 2018 occupation rent.

I award the landlord \$2100.00 plus recovery of the \$100.00 filing fee. He will have a monetary order against the tenant for the total of \$2200.00.

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: January 25, 2018

Residential Tenancy Branch