



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, ER, OPR, MNR MNSD, FF

Introduction

In the first application the tenant seeks to cancel a ten day Notice to End Tenancy for unpaid rent received April 6, 2018. He also seeks an emergency repair order.

In the second application the landlord seeks an order of possession pursuant to the Notice and a monetary award for unpaid rent.

The tenant did not attend the hearing within thirty minutes after its scheduled start time at 9:00 o'clock a.m. on June 12, 2018. The teleconference hearing connection remained open during that time in order to enable the parties to call into the teleconference hearing. The call-in numbers and participant codes provided in the Notice of Hearing were confirmed as correct. The teleconference system audio console confirmed that the landlord and this arbitrator were the only ones who had called into this teleconference during that period.

As a result, the tenant's application is dismissed. Since the landlord attended the hearing and was ready to proceed, the tenant's application is dismissed without leave to re-apply.

The landlord proved that the tenant was served by registered mail (tracking number shown on cover page of this decision) with her application. Canada Post records show that the item was mailed May 16 and delivered and signed for by the tenant on May 18. I find that the tenant has been duly served with the landlord's application.

On the landlord's undisputed evidence I am satisfied that the tenant failed to pay the \$1350.00 rent due April 1, 2018 and has not paid any rent since.

As a result, the ten day Notice for unpaid rent was a valid Notice and by operation of s. 46 of the *Residential Tenancy Act*, has resulted in this tenancy ending on April 16, 2018. As the tenancy has ended, the landlord will have an order of possession.

I grant the landlord a monetary award of \$4050.00 for unpaid rent or occupation rent for April, May and June 2018, as claimed, plus recovery of the \$100.00 filing fee, for a total of \$4150.00. I authorize her to retain the \$675.00 security deposit in reduction of the award. The landlord will have a monetary order against the tenant for the remainder of \$3475.00.

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: June 12, 2018

Residential Tenancy Branch