



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ROYAL LEPAGE WOLSTENCROFT
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNR, OPR, FF

Introduction

The landlord applies for an order of possession pursuant to a ten day Notice to End Tenancy for unpaid rent and for a monetary award for unpaid rent.

Neither of the respondent tenants attended the hearing within ten minutes after its scheduled start time at 9:30 a.m. on October 15, 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 roll call feature confirmed that the landlord's representative Mr. W. and this arbitrator were the only ones who had called into this teleconference during that period.

Mr. W. shows that the tenants were served with the application by registered mail addressed to the tenants' residence, where they continue to reside (tracking cards filed as evidence). Canada Post records show that neither tenant picked up the mail and it was returned to sender. On this evidence I am satisfied that the tenants have been duly served in accordance with the deeming provisions of s. 90 of the *Residential Tenancy Act*.

The landlord has obtained an order of possession already, in a previous proceeding (related file shown on cover page of this decision).

On the undisputed evidence of Mr. W. and taking into account an admitted payment of \$225.00 from the tenants on October 4, I award the landlord \$1694.50, plus recovery of the \$100.00 filing fee. I authorize the landlord to retain the \$475.00 security deposit in

reduction of the amount awarded. The landlord will have a monetary order against the tenants for the remainder of \$1r319.50.

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 15, 2018

Residential Tenancy Branch