



Dispute Resolution Services

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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 and for a monetary award for unpaid rent of \$3150.00 for the months May to November 2018 inclusive.

The respondent tenant did not attend the hearing within ten minutes after its scheduled start time at 11:00 a.m. on January 15, 2019. 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's agent and this arbitrator were the only ones who had called into this teleconference during that period.

Ms. M. for the landlord testifies that she personally served the tenant with the ten day Notice on November 21, 2018. His signature appears on the Notice acknowledging receipt. She testifies that she personally served the tenant with the Notice of Dispute Resolution Proceeding on December 11, 2018. On this evidence I find that the tenant has been duly served with the ten day Notice and with the Notice of this application.

On the undisputed evidence of the landlord's agent I find that the tenant failed to pay the rent demanded in the Notice and failed to apply to cancel it. As a result, by operation of s. 46 of the *Residential Tenancy Act*, this tenancy ended on December 4, 2018. The landlord will have an order of possession.

On Ms. M.'s undisputed evidence I find that the landlord is owed rent of \$3150.00 for the period May to November 2018 inclusive and I award the landlord that amount plus

recover of the \$100.00 filing fee. There will be a monetary order against the tenant in the amount of \$3250.00.

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 15, 2019

Residential Tenancy Branch