



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding KRIK SERVICES LTD. and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR

Introduction

The landlord applies for an order of possession pursuant to a ten day Notice to End Tenancy for unpaid rent. It also seeks a monetary award of \$335.00 for rent in arrears.

Neither of the respondent tenants attended the hearing within ten minutes after its scheduled start time at 11:00 a.m. on October 21, 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 two landlord's representatives and this arbitrator were the only ones who had called into this teleconference during that period.

On the testimony of Mr. M.H. for the landlord, I find that the tenants were duly served with notice of this application by registered mail (tracking numbers shown on cover page of this decision) addressed to the rental unit where they continued to reside. The mail was not retrieved by either tenant. A party cannot avoid this process by declining to retrieve his or her mail.

I find that the tenants were served with a ten day Notice to End Tenancy for unpaid rent on August 6, 2019 and that they failed to pay the \$1000.00 demanded in full within the following five days. As a result, by operation of s. 46 of the *Residential Tenancy Act* this tenancy ended on August 17, 2019 and the landlord is entitled to an order of possession.

I find that the tenants owe \$335.00 for the remainder of rent owing for the month of August 2019 and I award that amount to the landlord. I authorize the landlord to retain \$335.00 from the \$500.00 security deposit it holds, in full satisfaction of this award.

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 22, 2019

Residential Tenancy Branch