



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR-MT, CNC-MT, OLC, MNDCT, RP, LRE

This hearing was convened as a result of the Tenant's Application for Dispute Resolution made on February 15, 2022. The Tenant applied for the following relief, pursuant to the Residential Tenancy Act (the Act):

- an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, dated February 15, 2022 (the 10 Day Notice);
- an order granting more time to dispute the 10 Day Notice;
- an order cancelling a One Month Notice to End Tenancy for Cause (the One Month Notice);
- an order granting more time to dispute the One Month Notice;
- an order that the Landlord comply with the Act, Residential Tenancy Regulation, and/or the tenancy agreement;
- a monetary order for compensation for monetary loss or other money owed;
- an order that the Landlord make repairs to the unit, site, or property; and
- an order setting or suspending conditions on the Landlord's right to enter the rental unit or site.

The Landlord was represented at the hearing by CP, who provided a solemn affirmation. The Tenant did not attend the hearing.

As the Tenant did not attend the hearing and the Landlord's agent appeared and was ready to proceed, I order that the Tenant's application is dismissed without leave to reapply.

CP testified that the tenancy began on May 1, 2020. Rent of \$750.00 per month is due on the first day of each month. CP is unsure if the Tenant paid a security deposit or a pet damage deposit.

Section 55(1) of the Act provides that the director must issue an order of possession if the notice to end tenancy complies with the form and content requirements of section 52 of the Act and the tenant's application to cancel the notice to end tenancy is dismissed.

In this case, I have reviewed the 10 Day Notice. It is in writing, is signed and dated by the Landlord, gives the address of the rental unit, states the effective date, and is in the approved form. As a result, I find that the 10 Day Notice complies with the form and content requirements of section 52 of the Act. As noted above, the Tenant's application has been dismissed.

Pursuant to section 55(1) of the Act, I find the Landlord is entitled to an order of possession. At the request of CP, the order of possession will be effective on June 30, 2022. The order of possession must be served on the Tenant. The order of possession may be filed in and enforced as an order of the Supreme Court of British Columbia.

Further, section 55(1.1) of the Act provides that the director must issue a monetary order for unpaid rent if the notice to end tenancy for unpaid rent complies with the form and content requirements of section 52 of the Act and the tenant's application is dismissed. As noted above, I find that the 10 Day Notice complies with the form and content requirements of section 52 of the Act, and the Tenant's application has been dismissed.

CP testified that rent is currently due in the amount of \$368.49. In the absence of evidence to the contrary, and pursuant to section 55(1.1) of the Act, I find the Landlord is entitled to a monetary order for \$368.49. The monetary order must be served on the Tenant. The monetary order may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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: May 24, 2022

Residential Tenancy Branch