



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, OPR

Introduction

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for an Order of Possession based on a Notice to End Tenancy for non-payment of rent, a request for a monetary order for outstanding rent, and request for recovery of the filing fee.

Background and Evidence

The applicants testified that:

- This tenancy began on April 1, 2012 with a monthly rent is \$650.00.
- The tenant failed to pay the July 2012 rent and therefore on July 5, 2012 he was personally served with a 10 day Notice to End Tenancy for non-payment of rent.
- To date the tenant has failed to comply with that notice, and has failed to pay any further rent.
- They are therefore requesting an Order of Possession for as soon as possible, and an order for the outstanding rent.

The respondent testified that:

- He agrees that the full rent for the months of July 2012 and August 2012 are still outstanding.
- He lost his roommate and therefore can no longer afford to pay the rent.
- He attempted to get a new roommate however the landlord would not accept the new roommate.
- His employer owes him \$2000.00, and he will pay the rent once he gets paid.

Analysis

It is my finding that the landlord has the right to an Order of Possession, because the landlord has served the tenant with a valid 10 day Notice to End Tenancy, and the tenant has not paid any rent since receiving that notice.

I also allow the landlords claim for outstanding rent totalling \$1300.00. The tenant claims that he will pay the rent once he is paid by his employer; however rent was due on the first of each month, and therefore is now well past due.

I also allow the request for recovery of the filing fee.

Conclusion

I have issued an Order of Possession that is enforceable two days after service on the tenant.

I have issued a monetary order in the amount of \$1350.00

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: August 15, 2012.

Residential Tenancy Branch