

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This is an application filed by the Landlord for an order of possession and a monetary order for unpaid rent or utilities and the recovery of the filing fee.

Both parties attended the hearing and gave testimony. As both parties have attended and have confirmed that neither party has submitted any documentary evidence, I am satisfied that both parties have been properly served.

Issue(s) to be Decided

Is the Landlord entitled to an order of possession?

Is the Landlord entitled to a monetary order?

Background, Evidence and Analysis

Both parties have confirmed in their direct testimony that the Tenant was served with a 10 day notice to end tenancy dated November 10, 2012. Both parties have also confirmed that the Tenant as of the date of the application is in arrears for \$9,600.00 in unpaid rent.

I find based upon the undisputed testimony of both parties that the Tenant was properly served with the notice to end tenancy and that the Landlord has established a claim for \$9,600.00 in unpaid rent. The Landlord is granted an order of possession. The order of possession must be served on the Tenant. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

As for the monetary claim, the Landlord has established a claim for \$9,600.00 in unpaid rent. The Landlord is also entitled to recovery of the \$100.00 filing fee. The Landlord is granted a monetary order under section 67 for the balance due of \$9,700.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Landlord is granted an order of possession and a monetary order for \$9,700.00.

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 11, 2013

Residential Tenancy Branch

