



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

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 and the recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend or submit any documentary evidence. The Landlord states that the Tenant was served with the notice of hearing package by Canada Post Registered Mail on December 31, 2012 and has submitted the Customer Receipt as confirmation. I accept the undisputed testimony and find 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

The Landlord states that the Tenant was served with a 10 day notice to end tenancy for unpaid rent dated December 11, 2012 on December 11, 2012 by posting it to the rental unit door. The notice shows an effective date of December 21, 2012. The notice shows that the Tenant failed to pay rent of \$950.00 that was due on December 1, 2012. The Landlord states that since serving this notice that the Tenant has not paid any rent up to including the date of this hearing.

The Landlord seeks an order of possession and a monetary order for unpaid rent of \$1,900.00 (December \$950.00 and January \$950.00).

I accept the undisputed testimony of the Landlord that the Tenant was served with a 10 day notice to end tenancy for unpaid rent dated December 11, 2012. The Tenant has not paid the outstanding rent within the allowed timeframe and is conclusively presumed

to have accepted that the Tenancy is at an end. The Landlord is granted an order of possession. The Tenant must be served with the order of possession. 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, I find that the Landlord has established a monetary claim of \$1,900.00 for unpaid rent for December 2012 and January 2013. The Landlord is also entitled to recovery of the \$50.00 filing fee. I grant the Landlord a monetary order in the amount of \$1,950.00. 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 \$1,950.00.

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 28, 2013

Residential Tenancy Branch

