



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This is an application filed by the Landlord for an order of possession and a monetary order for unpaid rent or utilities, to keep all or part of the security deposit and recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend and did not submit any documentary evidence. The Landlord confirms that the Tenants were both served with the notice of hearing package in person on January 16, 2013. I accept the undisputed testimony of the Landlord and find that all parties have been properly served.

At the beginning of the hearing, the Landlord indicated that the Tenant has made multiple late rent payments and that as of the hearing date the rent arrears total, \$340.00. The Landlord has also withdrawn the request for an order of possession. As the Tenancy is not coming to an end, I decline to make any orders regarding the security deposit. As such no further action is required for these portions of the application.

Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

Background, Evidence and Analysis

The Landlord indicated that the Tenant was served with the 10 day notice to end tenancy dated January 3, 2013 on the same date by posting it on the rental unit door. I accept the undisputed testimony of the Landlord and find that the Tenants were properly served with the 10 day notice to end tenancy for unpaid rent.

The Landlord has amended the rent arrears to \$340.00 and a \$25.00 late rent fee for February totalling, \$365.00. I accept the undisputed testimony of the Landlord and

grant the Landlord a monetary claim of \$365.00. The Landlord is also entitled to recovery of the \$50.00 filing fee. The Landlord is granted a monetary order for \$415.00. 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 a monetary order for \$415.00.

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: February 08, 2013

Residential Tenancy Branch

