



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Colombian Centennial Housing Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

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

I also gave the applicant the opportunity to testify at the hearing.

The applicant(s) testified that the respondent was served with Notice of the Hearing by registered mail that was mailed on April 10, 2013 and therefore is deemed served five days later; however the respondent(s) did not join the conference call that was set up for the hearing.

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 nonpayment of rent, a request for a Monetary Order for outstanding rent totaling \$1102.00, and a request for recovery of the \$50.00 filing fee.

The applicant is also requesting an Order to retain the full security deposit of \$300.00 towards the claim.

Background and Evidence

The applicant testified that:

- This tenancy began on October 1, 2011, and a security deposit of \$300.00 was paid at that time.
- The present rent for this unit is \$551.00 per month.

- The tenant failed to pay the March 2013 rent, and therefore on March 12, 2013, a 10 day Notice to End Tenancy was posted on the tenant's door.
- 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 a Monetary Order for rent outstanding for the months of March 2013 and April 2013.

Analysis

It's my finding that the landlord has shown that the tenant has failed to pay rent for the months of March 2013, and April 2013 for a total of \$1102.00. I therefore allow the landlords request for an Order for that outstanding rent.

It is also my finding that the tenant has been served with a valid 10 day Notice to End Tenancy and has failed to comply with that notice. I therefore also allow the request for an Order of Possession.

I also allow the request for recovery of the \$50.00 filing fee.

Conclusion

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

I have allowed the landlords full monetary claim of \$1152.00 and I therefore Order that the landlord may retain the full security deposit of \$300.00, and I've issued a Monetary Order in the amount of \$852.00.

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: May 07, 2013