



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Wall Financial Corporation
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This is an application filed by the Landlord for an order of possession and a monetary order for unpaid rent, for money owed or compensation for damage or loss and recovery of the filing fee.

Both parties attended the hearing by conference call and gave undisputed testimony. As both parties have attended and have confirmed receipt of the notice of hearing package, I am satisfied that both parties have been properly served.

At the beginning of the hearing, the Tenant confirmed in her direct testimony that the Landlord's claim is correct and that no rent has been paid as specified by the Landlord. The Tenant stated that she is in the process of packing and has already hired a moving company to move out.

At the end of the hearing, the Landlord requested a change to the delivery of the decision and order by fax and an address change. As such, this file shall be updated to reflect the noted new address specified by the Landlord.

Issue(s) to be Decided

Is the Landlord entitled to an order of possession?
Is the Landlord entitled to a monetary order?

Background and Evidence

This Tenancy began on August 1, 2013 on a fixed term tenancy ending on January 31, 2014. The monthly rent was \$735.00 payable on the 1st of each month and a security deposit of \$367.50 and a pet damage deposit of \$200.00 was paid on July 19, 2013.

The Landlord states that the Tenant was served with a 10 day notice to end tenancy issued for unpaid rent dated October 3, 2013 by posting it to the rental unit door. The

notice states that rent of \$360.00 remains unpaid that was due on October 1, 2013. The notice states an effective date of October 16, 2013. The Landlord states that since this notice was served, that no rent has been paid.

The Landlord seeks a monetary order for \$1,890.00. This consists of unpaid rent of \$360.00 for October, \$20.00 late October fee, \$735.00 of unpaid rent of November, \$20.00 late November fee, \$735.00 of unpaid rent for December and a \$20.00 late December fee. The Tenant confirmed in her direct testimony that she is not disputing the Landlord's claims.

Analysis

I accept the undisputed evidence of both parties and find that the Landlord has established a claim for an order of possession and a monetary order for unpaid rent. The Tenant has admitted in her direct testimony that rent has not been paid since the service of the 10 day notice dated October 3, 2013 or of the monetary claim made by the Landlord. The Landlord is granted an order of possession. This order must be served upon the Tenant. Should the Tenant fail to comply, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The Landlord is entitled to recovery of the \$50.00 filing fee. The Landlord is also granted a monetary order for \$1,940.00. 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 \$1,940.00.

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: December 03, 2013

Residential Tenancy Branch

