



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 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, and request for recovery of the filing fee.

The applicant(s) testified that the respondent was personally served with notice of the hearing on July 25, 2014; however the respondent did not join the conference call that was set up for the hearing.

It is my finding that the respondent has been properly served with notice of the hearing, and I therefore proceeded with the hearing in the respondent's absence.

All testimony was taken under affirmation.

Issue(s) to be Decided

Has the applicant establish the right to an Order of Possession?

Has the applicant established a monetary claim against the tenant and if so in what amount?

Background and Evidence

This tenancy began on April 1, 2014 with the monthly rent of \$800.00.

The tenant has not paid any rent since the month of April 2014, and therefore, as of today's date, there is a total of \$4000.00 in rent outstanding.

A 10 day Notice to End Tenancy was posted on the tenant's door on June 14, 2014 however the tenant has not moved out.

The applicants are therefore requesting an Order of Possession for as soon as possible and the Monetary Order for the outstanding rent.

Analysis

It is my finding that the applicants have shown that the tenant has failed to pay any rent for the months of May 2014, June 2014, July 2014, August 2014, and September 2014. I therefore allow the request for a Monetary Order for that outstanding rent.

I have allowed rent right to the end of September 2014, even though the applicant had only applied for rent to the end of July 2014, because the hearing was not scheduled until September 23, 2014, and the respondent would obviously be aware that rent would also be outstanding for the months of August 2014, and September 2014 if she failed to pay it.

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 and I therefore also allow the request for an Order of Possession.

I further allow the request for recovery of the filing fee.

Conclusion

I have issued an Order of Possession, pursuant to section 55 of the Residential Tenancy Act, which is enforceable two days after service on the respondent.

I have issued a Monetary Order, pursuant to section 67 of the Residential Tenancy Act, in the amount of \$4050.00.

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: September 23, 2014

Residential Tenancy Branch

