



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes: OPR, MNR, MNDC, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order of possession and a monetary order for unpaid rent, late fees and the filing fee. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Since the tenant moved out on December 14, 2010, the landlord withdrew her application for an order of possession. Therefore, this hearing only dealt with the landlord's monetary claim for unpaid rent, late fees and filing fee.

Issues to be decided

Is the landlord entitled to a monetary order to recover unpaid rent, late fees and the filing fee?

Background and Evidence

The landlord testified that the tenancy started on December 01, 1998. The monthly rent at the time the tenancy ended was \$995.00. A clause in the tenancy agreement states that the tenant must pay a late fee of \$20.00 for rent paid after the first of the month.

Both parties agreed that the tenant owed rent in the amount of \$990.00 for December 2010, plus \$20.00 for the late fee.

Analysis

Based on the sworn testimony of both parties, I accept the landlord's evidence in respect of the claim. I find that the tenant owes \$990.00 for rent for December plus the late fee of \$20.00, for a total of \$1,010.00



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Since the landlord has proven her case, I also find that she is also entitled to the filing fee of \$50.00.

Over all, the landlord has established a claim for a total of \$1,060. I grant the landlord an order under section 67 of the *Residential Tenancy Act* for this amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order for **\$1,060.00**.

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 13, 2011.

Residential Tenancy Branch