



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, MNR, 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 and the filing fee.

The notice of hearing was served on the tenant on April 18, 2012 by registered mail. The landlord filed a tracking number. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions

The tenant moved out on May 01, 2012. Since the tenant has moved out, the landlord withdrew his application for an order of possession. Therefore, this hearing only dealt with the landlord's monetary claim for unpaid rent and the filing fee.

Issues to be decided

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

Background and Evidence

The landlord testified that the tenancy started on October 21, 2011. The monthly rent was \$1,040.00.

The tenant failed to pay rent for March and April 2012. Earlier, on March 28, 2012, the parties attended a hearing to resolve their dispute. The landlord was awarded an order of possession and a monetary order for rent for March. The tenant was served both orders but failed to comply and continued to occupy the rental unit until May 01, 2012, without paying rent.

At the time of the hearing, the tenant owed rent for March and April. The landlord has in his possession a monetary order for rent for March. The landlord is applying for a monetary order for rent for April (\$1,040.00) plus the filing fee (\$50.00).

Analysis

Based on the sworn testimony of the landlord and in the absence of contradictory evidence from the tenant, I accept the landlord's evidence in respect of the claim. I find that the landlord is entitled to rent for April (\$1,040.00). Since the landlord has proven his claim, he is also entitled to the recovery of the filing fee (\$50.00).

Overall the landlord has established a total claim of \$1,090.00. 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 **\$1,090.00**.

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 04, 2012.

Residential Tenancy Branch