



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNR, MNDC, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act*, for a monetary order for unpaid rent and for the recovery of the filing fee.

The notice of hearing was served on the tenant on July 18, 2012 by posting it on the front door to the rental unit. The landlord spoke to the tenant on the phone a few times after having posted the notice of hearing and reminded him about the hearing. Even though posting the notice of hearing is not a legislated method of service, I am satisfied that the tenant was informed about the hearing and despite this the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

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

Background and Evidence

The tenancy began on March 27, 2012. The monthly rent was \$4,900.00 due on the first of each month. The tenant failed to pay rent for July 2012 and on July 02 was served with a notice to end tenancy for unpaid rent. The landlord's application for an order of possession was granted on July 16, 2012 and he used the services of a bailiff to evict the tenant at the end of July.

The landlord is applying for rent owed for July in the amount of \$4,900.00 and for the recovery of the filing fee.

Analysis

Based on the evidence filed by the landlord and in the absence of any contradictory evidence from the tenant, I find that the landlord has established a claim for \$4,900.00 for unpaid rent for July. Since the landlord has proven his case, he is also entitled to the recovery of his filing fee.

I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the balance due of \$4,950.00. 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 in the amount of **\$4,950.00**.

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 27, 2012.

Residential Tenancy Branch