



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. An Order of Possession - Section 55;
2. A Monetary Order for unpaid rent - Section 67;
3. An Order to recover the filing fee for this application - Section 72.

I accept the landlord's evidence that despite the tenant having been personally served with the application for dispute resolution and notice of hearing in accordance with Section 89 of the Residential Tenancy Act (the Act) the tenant did not participate in the conference call hearing. The landlord was given full opportunity to be heard, to present evidence and to make submissions.

The landlord testified the tenant vacated the rental unit prior to the end of January 2014 and that an Order of Possession is not necessary.

Issue(s) to be Decided

Is the notice to end tenancy valid?

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

The tenancy began July 2013. Rent in the amount of \$400.00 is payable in advance on the first day of each month. The tenant failed to pay all rent owed and on December 23, 2013 the landlord served the tenant with a notice to end tenancy for non-payment of rent up to December 23, 2013 in the amount of \$1030.00. The tenant further failed to pay rent in the month of January 2014. The landlord's monetary claim is for the unpaid rent.

Analysis

Based on the testimony and document evidence before me I find that the tenant was served with a notice to end tenancy for non-payment of rent and I find the notice to be valid. The tenant has not paid the outstanding rent and has not applied for Dispute Resolution to dispute the notice and has vacated the rental unit.

I find that the landlord has established a monetary claim for unpaid rent. The landlord is also entitled to recovery of the \$50.00 filing fee.

Calculation for Monetary Order

Rental arrears to December 2013	\$1030.00
Unpaid rent for January 2014	400.00
<i>Filing fee</i>	<i>50.00</i>
Total monetary award	\$1480.00

Conclusion

I grant the landlord an Order under Section 67 of the Act for the amount of **\$1480.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Decision is final and binding on both parties.

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: February 04, 2014

Residential Tenancy Branch

