



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes:**

*OPR, MNR,*

### **Introduction**

This hearing dealt with applications by the landlord and the tenant pursuant to the *Residential Tenancy Act*. The landlord applied for an order of possession and for a monetary order for unpaid rent and the filing fee. The tenant applied to cancel the notice to end tenancy.

The notice of hearing was served on the tenant on February 18, 2014 by registered mail. Despite having been served the notice of hearing and having made application for dispute resolution, the tenant did not attend the hearing. Therefore the tenant's application is dismissed. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

The tenant moved out on March 25, 2014. 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.

### **Issues to be decided**

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

### **Background and Evidence**

The tenancy started on November 01, 2013. The monthly rent is \$1,200.00 due on the first of each month.

The landlord testified that the tenant failed to pay full rent for January and February 2014. On February 03, 2014, the landlord served the tenant with a ten day notice to end tenancy. The tenant disputed the notice on February 12, 2014 and continued to occupy the rental unit without paying rent.

The landlord testified that the tenant owes the landlord \$500.00 for January, \$ 700 for February and \$1,200.00 for March for a total of \$2,400.00 in unpaid rent. The landlord is applying for a monetary order for unpaid rent and for the filing fee.

### **Analysis**

Based on the undisputed sworn testimony of the landlord, I accept the landlord's evidence in respect of the claim.

I find that the landlord is entitled to \$2,400.00 for unpaid rent. Since the landlord has proven his case, I award him the recovery of the filing fee of \$50.00. I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the amount of \$2,450.00. 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 **\$2,450.00**.  
The tenant's application is dismissed.

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: April 01, 2014

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Residential Tenancy Branch

