



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR; MNSD; FF

Introduction

This is the Landlords' application for a Monetary Order for unpaid rent; and to recover the cost of the filing fee from the Tenants.

The Landlords gave affirmed testimony at the Hearing.

The Landlords testified that the Notice of Hearing documents and copies of their documentary evidence were mailed to each of the Tenants to the forwarding address they provided, via registered mail, sent November 27, 2014. The Landlords provided copies of the registered mail receipts and tracking numbers for the registered documents. They stated that the documents were returned to the Landlords "unclaimed".

Based on the Landlords' affirmed testimony and documentary evidence, I am satisfied that both of the Tenants were duly served with the Notice of Hearing documents by registered mail. Service in this manner is deemed to be effected 5 days after mailing the documents. Despite being served with the Notice of Hearing documents, the Tenants did not sign into the teleconference and the Hearing proceeded in their absence. The teleconference remained open for 15 minutes.

Issues to be Decided

- Are the Landlord entitled to a Monetary Order, and if so, in what amount?

Background and Evidence

The Landlords gave the following testimony:

- A copy of the tenancy agreement was provided in evidence. This tenancy began on October 13, 2013 and ended June 15, 2014. Monthly rent was \$1,400.00, due on the 15th day of each month. The Tenants paid a security deposit in the amount of \$700.00, which has been applied towards unpaid rent.

- The Tenants failed to pay rent when it was due on March 15, April 15 and May 15, 2014. The Landlords are requesting a monetary award, calculated as follows:

Unpaid rent for March 15 – April 14, 2014	\$1,400.00
Unpaid rent for April 15 – May 14, 2014	\$1,400.00
Unpaid rent for May 15 – June 14, 2014	\$1,400.00
Less amount deducted from security deposit	<u>-\$700.00</u>
TOTAL	\$3,500.00

Analysis

Based on the Landlords' undisputed affirmed testimony, I find that the Tenants did not pay rent when it was due under the tenancy agreement and that the Landlords are entitled to a monetary award as claimed, in the amount of **\$3,500.00**.

The Landlords have been successful in their application and I find that they are entitled to recover the cost of the **\$50.00** filing fee from the Tenants.

Conclusion

I hereby grant the Landlords a Monetary Order in the amount of **\$3,550.00** for service upon the Tenants. This Order may be filed in the Provincial Court of British Columbia (Small Claims) and enforced as an Order of that Court.

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: June 22, 2015

Residential Tenancy Branch

