



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR OPR

Introduction

This hearing dealt with an application by the landlord for an order of possession and a monetary order for unpaid rent. The matter first proceeded through the direct request process, but the adjudicator found that there were questions that could only be addressed through a participatory hearing, and the application was adjourned for a teleconference hearing.

The landlord participated in the teleconference hearing, but the tenant did not call into the hearing. The landlord was required to serve the tenant with notice of the hearing, and provided evidence that they sent the notice of hearing to the tenant by registered mail sent October 26, 2016. I found that the tenant was deemed served with notice of the hearing on October 31, 2016, and I proceeded with the hearing in the absence of the tenant.

The landlord stated in the hearing that the tenant had vacated the rental unit at the beginning of November 2016, and I accordingly dismissed the portion of their application regarding an order of possession.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on December 1, 2015. Rent in the amount of \$4,000.00 was payable in advance on the first day of each month. The tenant failed to pay full rent for several months, and the landlord stated that at the time of the hearing the tenant still owed \$7,500.00.

In support of their claim, the landlord submitted evidence including the following:

- a copy of a residential tenancy agreement, signed by the tenant and the landlord on November 19, 2015, indicating a monthly rent of \$4,000.00 due on the first of each month;
- a monetary order worksheet indicating that the tenant owed \$7,500.00 as of September 17, 2016; and
- a copy of the Landlord's Application for Dispute Resolution, filed September 22, 2016.

Analysis

I find that the landlord has established their claim for \$7,500.00 in outstanding rent. The evidence noted above shows that the tenant was obligated to pay \$4,000.00 per month in rent, and he still owed the landlord \$7,500.00 at the time of the hearing.

Conclusion

I grant the landlord an order under section 67 for the amount due of \$7,500.00. This order may be filed in the Small Claims Court 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: January 3, 2017

Residential Tenancy Branch