



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding VILLA ROMA INVESTMENTS/RPM INC.  
and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes:** OPR, MNR

### **Introduction**

On August 28, 2017 a decision was issued granting the landlord an order of possession and a monetary order for unpaid rent for the month of August 2017 in the amount of \$1,150.00. On August 30, 2017 the tenant filed an application for review consideration. The reviewing Arbitrator considered whether the tenant has established that a review hearing should be ordered to review the landlord's entitlement to the monetary order that was issued.

Upon review, the tenant was granted a review hearing to address the monetary portion of the landlord's claim. The hearing was scheduled for this date at 10:30am. The landlord attended the hearing. Despite having applied for a review hearing and having been granted one, the tenant did not attend the hearing.

### **Issues to be decided**

Is the landlord entitled to the monetary order that was granted to her on August 28, 2017?

### **Background and Evidence**

The tenancy started in September 2016 and ended sometime around September 05, 2017. The monthly rent was \$1,150.00.

On August 04, 2017, the landlord served the tenant with a ten day notice to end tenancy for non-payment of rent for August 2017. The landlord made application for an order of possession and for a monetary order for unpaid rent by the direct process which is process that involves a non-participatory hearing. The date on the landlord's application is August 18, 2017.

However, the tenant made full payment of rent for August on August 17, 2017. The landlord agreed that due to an administrative error, she was not aware that rent was paid in full when she made an application for dispute resolution. The landlord agreed that she was not entitled to the monetary order that was issued to and took full responsibility for the error.

The landlord stated that she has not enforced the monetary order and has no intention of doing so.

### **Conclusion**

The monetary order issued in favour of the landlord dated August 28, 2017, in the amount of \$1,150.00 is cancelled and is of no force or effect.

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: November 29, 2017

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Residential Tenancy Branch