



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Decision

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing was scheduled in response to the Landlord's Application for Dispute Resolution, in which the Landlord has made application for an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent, and to recover the filing fee from the Tenants for the cost of this Application for Dispute Resolution. At the hearing the Landlord withdrew the application for an Order of Possession, as the Tenants had vacated the rental unit prior to the hearing.

The Agent for the Landlord stated that copies of the Application for Dispute Resolution and Notice of Hearing were sent to the Tenants via registered mail at the address noted on the Application, on October 06, 2008. A tracking number was provided. The Canada Post website shows the mail was delivered on October 07, 2008. These documents are deemed to have been served in accordance with section 89 of the *Residential Tenancy Act (Act)*, however the Tenants did not appear at the hearing.

Issue(s) to be Decided

The issues to be decided are whether the Landlord is entitled to a monetary Order for unpaid rent and to recover the filing fee from the Tenant for the cost of the Application for Dispute Resolution, pursuant to sections 67 and 72 of the *Act*.

Background and Evidence

The Agent for the Landlord stated that the Tenants were required to pay monthly rent of \$640.00; that the Tenants were served with a Notice to End Tenancy for Unpaid Rent; that the Tenants vacated the rental unit on September 30, 2008; that the Tenants still owe rent in the amount of \$340.00 from August of 2008, and that they still owe all of the rent from September of 2008.

Analysis

In the absence of evidence to the contrary, I find that the Tenants owe \$980.00 in outstanding rent.

I find that the Landlords application has merit, and I find that the Landlord is entitled to recover the filing fee from the Tenants for the cost of this Application for Dispute Resolution.

Conclusion

I find that the Landlord has established a monetary claim, in the amount of \$1,030.00, which is comprised on \$980.00 in unpaid rent and \$50.00 in compensation for the filing fee paid by the Landlord for this Application for Dispute Resolution. Based on these determinations I grant the Landlord a monetary Order for the amount of \$1,030.00. In the event that the Tenants do not comply with this Order, it may be served on the Tenant, filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court.

Date of Decision: October 23, 2008