



Dispute Resolution Services

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

DECISION

Dispute Codes: OPR, MNR, MNDC, FF

Introduction

This matter dealt with an application by the landlord for an order of possession for unpaid rent as well as a monetary order for damage to the rental unit. At the hearing the landlord's agent advised that the tenants had vacated on October 6, 2008 and as such, an order of possession was not required. The landlord also advised that they were now only seeking to a monetary order for the unpaid rent tenants had relinquished the damage deposit to cover damage to the property.

The landlord advised that the tenants had been served the notice of this hearing and the application for dispute resolution and that he had spoken to the tenants to confirm that they had received the documents. The tenants did not attend the hearing and I am satisfied that they were properly served as required. I determined that the hearing would continue in their absence.

Issue(s) to be Decided

Is the landlord entitled to a monetary order for unpaid rent, and if so in what amount?

Background and Evidence

The landlord stated that the tenancy commenced on September 1, 2005 and that the tenants vacated the rental unit on October 6, 2008. The tenants had been served with various notices to end tenancy for unpaid rent in the past six months, and eventually vacated.

The landlord alleges that the tenants owe rent for September 2008 in the amount of \$750.00 and for October of \$775.00. The landlord also seeks to recover the filing fee for the cost of this application.

The landlord has provided written documentation including previous notices to end tenancy for unpaid rent, and rental statements in support of his application.

Analysis

I find that based upon the evidence before me, that the landlord has established a claim for unpaid rent for September and October 2008 in the amount of \$1525.00. I also find that the landlord is entitled to recover the \$50.00 filing fee for the cost of this application.

Conclusion

I grant the landlord an order in the amount of \$1575.00. This order may be filed with and enforced as an order of the Provincial Court of British Columbia.

Dated: October 27, 2008