

Dispute Resolution Services

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

DECISION AND REASONS

Dispute Codes: OPR, MNR, MNSD, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for orders as follows:

- An order of possession, pursuant to section 55;
- A monetary order for unpaid rent, pursuant to section 67;
- An order to retain the security deposit, pursuant to section 38;
- An order to recover the filing fee pursuant to section 72.

The notice of hearing dated April 18, 2009 was served on the tenant on April 23, 2009, by registered mail. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

At the start of the hearing, the landlord advised me that he had resolved most issues with the tenant and accordingly, he withdrew the portions of his application that dealt with an order of possession and an order to retain the security deposit.

Issues to be decided

Is the landlord entitled to a monetary order to recover unpaid rent and the filing fee?

Background and Evidence

The landlord testified that the tenancy started on February 29, 2009 for a fixed term of 12 months. The monthly rent is \$1,100.00 due in advance on the first day of each month. The tenant is also required to pay a parking fee of \$20.00 per month.

The tenant failed to pay rent for April and on April 06, 2009; the landlord served the tenant, with a ten day notice to end tenancy. On April 20, 2009 the tenant paid the outstanding rent and also paid rent for May on May 06, 2009.

The landlord stated that the tenant has paid all outstanding debts except for \$20.00, for parking charges for May. The landlord requested a monetary order in the amount of \$70.00 which consists of the parking charges (\$20) and the filing fee (\$50.00).

Analysis

Based on the undisputed sworn testimony of the landlord, I accept the landlord's evidence in respect of the claim. I find that the landlord is entitled to a total of \$70.00 for parking charges and the filing fee. I grant the landlord an order under section 67 of the *Residential Tenancy Act* for \$70.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order for **\$70.00**.

Dated May 27, 2009.

Dispute Resolution Officer