



Dispute Resolution Services

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

DECISION AND REASONS

Dispute Codes:

MNR, FF

Introduction

This hearing was convened in response to an application by the landlord for a Monetary Order to recover unpaid rent and inclusive of recovery of the filing fee associated with this application.

I accept that despite having been served with the application for dispute resolution and notice of hearing by registered mail in accordance with Section 89 of the Residential Tenancy Act (the Act) the tenant did not participate in the conference call hearing.

Issue(s) to be Decided

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

The undisputed evidence via affirmed testimony from the landlord is as follows. The tenant no longer resides in the rental unit. The tenancy began on December 15, 2008. Rent in the amount of \$2000 was payable in advance on the first day of each month. In March 2009 the Landlord received an Order of Possession and a Monetary Order for unpaid rent for February 2009. A protracted legal dispute ensued between the parties and the tenant eventually vacated the rental unit. To the best of the landlord's determination, the tenant vacated the rental unit shortly before May 09, 2009. The tenant failed to pay rent in and for the months of March and April 2009. The landlord's

monetary claim is for rent for March and April 2009, and for the filing fee for a quantum claim of **\$4050**.

Analysis

Based on the landlord's testimony I find that the tenant has not paid the outstanding rent and has not applied for dispute resolution to dispute the landlord's application.

I find that the landlord has established a claim for **\$4000** in unpaid rent. The landlord is also entitled to recovery of the \$50 filing fee, for a total entitlement of **\$4050**

Conclusion

I grant the landlord an order under Section 67 for the amount of **\$4050**. 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 June 03, 2009