



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNR, FF

Introduction

This matter dealt with an application by the Landlord for a Monetary Order for unpaid rent as well as to recover the filing fee for this proceeding. The Landlord said she served the Tenant in person on September 8, 2009 with a copy of the Application and Notice of Hearing. Based on the Landlord's evidence, I find that the Tenant was served as required by s. 89 of the Act and the hearing proceeded in his absence.

Issues(s) to be Decided

1. Are there rent arrears and if so, how much?

Background and Evidence

This tenancy started on July 1, 2009 and ended on July 17, 2009 when the Tenant moved out. Rent was \$750.00 per month payable in advance on the 1st day of each month. The Tenant paid a security deposit of \$200.00.

The Landlord said that on July 16, 2009 he discovered that the Tenant's rent cheque for July was returned for insufficient funds. On July 17, 2009 the Tenant signed two documents. In one, he claimed that he would be moving out as of July 17, 2009. In the other, the Tenant acknowledged responsibility for the unpaid rent and a \$50.00 NSF fee incurred by the Landlord and agreed that the Landlord could keep the security deposit.

Analysis

In the absence of any evidence from the Tenant to the contrary, I find that the Landlord is entitled to recover unpaid rent of \$550.00 plus an NSF fee of \$50.00. I also find that the Landlord is entitled to recover the \$50.00 filing fee for this proceeding.

Conclusion

A monetary order in the amount of \$650.00 has been issued to the Landlord and a copy of it must be served on the Tenant. If the amount is not paid by the Tenant, the Order



Dispute Resolution Services

Page: 2

Residential Tenancy Branch
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may be filed in the Provincial (Small Claims) Court of British Columbia 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: October 22, 2009.

Dispute Resolution Officer