

DECISION

Dispute Codes: OPR, MNR and FF

Introduction

This application was brought by the landlord seeking an Order of Possession pursuant to a 10-day Notice to End Tenancy for unpaid rent served in person on September 2, 2009. The landlord also sought a Monetary Order for the unpaid rent and recovery of the filing fee for this proceeding.

This matter was originally addressed as a direct request proceeding on September 15, 2009 on written submissions only but was adjourned to the present conference call hearing due to the landlord's failure to submit a copy of the rental agreement.

Despite having been served with the Notice of Hearing served in person, the tenant did not call in to the number provided to enable her participation in the telephone conference call hearing. Therefore, it proceeded in her absence.

At the commencement of the hearing, the landlord advised that the tenant had vacated the rental unit on or about September 17, 2009 and he withdrew the request for an Order of Possession.

Issues to be Decided

This application requires a decision on whether the landlord is entitled a Monetary Order for the unpaid rent and recovery of the filing fee for this proceeding.

Background and Evidence

During the hearing, the landlord gave evidence that the tenancy predated his purchase of the rental building in May of 2009, but that he believed the tenancy had begun three or four years prior. Rent is \$800 per month and the landlord stated that he had been advised by the previous landlord that there was no security deposit.

The landlord gave evidence that the Notice to End Tenancy was served on when the tenant had failed to pay the rent for September 2009 and that it remained unpaid at the time of the hearing.

He said that the tenant had vacated without giving notice and without providing a forwarding address.

Analysis

In the absence of evidence to the contrary, I accept the evidence of the landlord that the tenant did not pay the rent for September 2009

Therefore, I find that the landlord is entitled to a Monetary Order for \$850, comprised of \$800 for unpaid rent and \$50 for recovery of the filing fee.

Conclusion

Thus, the landlord's copy of this decision is accompanied by a Monetary Order, enforceable through the Provincial Court of British Columbia, for \$850 for service on the tenant.