



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNR, SS, FF

Introduction

This matter dealt with an application by the Landlord for a monetary order for unpaid rent and to recover the filing fee for this proceeding. The Landlord also applied for an order permitting him to serve the Tenant with his hearing package in a different way than required by the Act.

The Landlord served the Tenant by registered mail on October 8, 2009 with the Application and Notice of Hearing (the "hearing package") at a forwarding address provided by the Tenant. According to the Canada Post online tracking system, a notification card was left for the Tenant but he did not pick up the hearing package. I find that the Tenant was served as required by s. 89 of the Act and therefore I further find that the Landlord's application to serve the Tenant in another manner is unnecessary and that part of his application is dismissed.

Issues(s) to be Decided

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

Background and Evidence

This fixed term tenancy started on July 1, 2008 and was to expire on June 30, 2009 however it ended on March 15, 2009 when the Tenant moved out. Rent was \$2,000.00 per month payable in advance on the 1st day of each month.

The Landlord that the Tenant agreed in writing to pay rent arrears of \$1,500.00 by way of 6 instalments of \$250.00 commencing April 1, 2009 however to date the Tenant has paid none of the rent arrears.

Analysis

In the absence of any evidence from the Tenant to the contrary, I find that the Landlord is entitled to recover rent arrears in the amount of \$1,500.00 as well as the \$50.00 filing fee for this proceeding.



Dispute Resolution Services

Page: 2

Residential Tenancy Branch
Ministry of Housing and Social Development

Conclusion

A Monetary Order in the amount of **\$1,550.00** 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 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: February 03, 2010.

Dispute Resolution Officer