

DECISION

Dispute Codes OPR, OPB, CNR, MNR, MNDC, ERP, FF

Introduction

This hearing dealt with cross Applications for Dispute Resolution. The landlord has applied for an order of possession and a monetary order. The tenants have applied to cancel the notice to end tenancy; to have the landlord make emergency repairs and for a monetary order.

The hearing was conducted via teleconference and was attended by the landlord. The tenants did not attend the hearing.

At the start of the hearing the landlord indicated the tenants moved out of the rental unit by the end of February 2010 and as such there is no need for the landlord to obtain an order of possession. The landlord's application was amended to exclude these issues. The tenant's application was also amended to exclude the application to cancel the notice to end tenancy.

Issues(s) to be Decided

The issues to be decided are whether the landlord is entitled to a monetary order for unpaid rent and to recover the filing fee from the tenants for the cost of the Application for Dispute Resolution, pursuant to sections 38, 46, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

It must also be decided whether the tenants are entitled to an order to have the landlord make emergency repairs and to a monetary order for compensation for damage or loss, pursuant to sections 33, 67, and 72 of the *Act*.

Background and Evidence

Neither party submitted documentary evidence to the hearing. The landlord confirmed that this tenancy began with one tenant in April 2009 and the other tenant on December 1, 2009. The landlord testified the tenant did not pay rent for February 2010.

Analysis

While the tenants did not appear they had filed their own application and were aware of the hearing date and time. As such, I find the landlord has established that the tenants owe rent for the month of February 2010.

Conclusion

I find that the landlord is entitled to monetary compensation pursuant to Section 67 and grant a monetary order in the amount of **\$1,050.00** comprised of \$1,000.00 rent owed and the \$50.00 fee paid by the landlord for this application.

This order must be served on the tenant and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

As the applicant tenants did not attend the hearing, I dismiss their application in its entirety without leave to reapply.

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: March 22, 2010.

Dispute Resolution Officer