

DECISION

Dispute Codes:

OPR, MNR, FF

Introduction

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

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

The landlord advised that the tenant vacated the residential unit on March 04, 2010; therefore, an Order of Possession is not necessary.

Issue(s) to be Decided

Is the landlord entitled to the monetary amounts claimed ?

Background and Evidence

The tenancy began on January 25, 2010 as a short term fixed term tenancy for one (1) month ending February 25, 2010. Rent for the fully furnished suit, in the amount of \$6000, was payable in advance. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$500. The tenant failed to pay the rent for the month, and on February 07, 2010 the landlord served the tenant with a notice to end tenancy for non-payment of rent.

The landlord provided the tenancy agreement and the Notice to End as evidence. The tenant has not paid the rent. The quantum of the landlord's monetary claim is for the rent in the amount of **\$6000**.

Analysis

Based on the landlord's testimony I find that the tenant was served with a notice to end tenancy for non-payment of rent and I find the notice to be valid. The tenant has not paid the outstanding rent and has not applied for dispute resolution to dispute the notice.

I find that the landlord has established a claim for **\$6000** in unpaid rent. The landlord is also entitled to recovery of the \$50 filing fee, for a total entitlement of **\$6050**.

Conclusion

I order that the landlord retain the deposit of \$500 in partial satisfaction of the claim and I grant the landlord an order under Section 67 of the Act for the balance due of **\$5550**. If necessary, 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*.