

DECISION

Dispute Codes:

MNR, MNDC, FF

Introduction

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* for Orders as follows:

1. A Monetary Order for unpaid rent and money owed - Section 67;
2. An Order to recover the filing fee for this application - Section 72.

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

The landlord was given full opportunity to be heard, to present evidence and to make submissions.

Issue(s) to be Decided

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

The tenancy began on September 1, 2004. Rent in the amount of \$833 is payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant which the landlord advises is being returned to the tenant.. The tenant failed to pay rent in the month of March 2010 and on March 02, 2010 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The tenant vacated March 10, 2010 in accordance with the Notice to End. The landlord testified that they were able to re-rent the unit before the end of March , therefore the landlord is only claiming the difference for the rent owed for March 2010 in the amount of \$564.29. The landlord also claims arrears in rent of \$5 and 3 consecutive late payment fees of \$25 per month – as stipulated in the tenancy agreement. The quantum of the landlord's monetary claim is **\$644.29**.

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. 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 monetary claim for **\$644.29** in unpaid rent and late fees. The landlord is also entitled to recovery of the \$50 filing fee, for a total entitlement of **\$694.29**.

Calculation for Monetary Order

Rental Arrears	\$569.29
Compensation for late fees	\$75.00
Filing Fees for the cost of this application	50.00
Total Monetary Award	\$694.29

Conclusion

The landlord is being given a Monetary Order under Section 67 of the Act for the amount of **\$694.29**. 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*.