



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, CNR, LAT, RR, OPB, MNR, FF

Introduction

This hearing dealt with cross Applications for Dispute Resolution. The landlord sought a monetary order and an order of possession. The tenant sought an order to change the locks, reduce rent, and to cancel a notice to end tenancy.

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

As this was cross applications I find the tenant was adequately aware of this hearing and therefore sufficiently served of notice of the hearing.

At the outset of the hearing, the landlord confirmed the tenant moved out of the dispute address by July 31, 2010. As such there is no need to consider the landlord's application for an order of possession and the landlord's application is amended to exclude this issue.

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 tenant for the cost of the Application for Dispute Resolution, pursuant to sections 67, and 72 of the *Residential Tenancy Act* (Act).

It must also be decided if the tenant is entitled to cancel a 10 Day Notice to End Tenancy for Unpaid Rent; to an order to have change the locks and to reduce rent, pursuant to sections 31, 67, and 72 of the *Act*.

Background and Evidence

The landlord testified the tenancy began in March 2010 as a month to month tenancy in the amount of \$1,000.00 due on the 1st with a security deposit paid in the amount of \$500.00.

The landlord testified the tenant failed to pay the full rent for the month of June and no rent for July 2010. The landlord also notes that she issued a 10 Day Notice to End Tenancy when the tenant failed to pay the rent.

Analysis

In the absence of any contrary testimony from the tenant I accept the landlord's evidence and testimony that the tenant owes rent in the amount of \$1,770.00.

Conclusion

In the absence of the tenant I dismiss his application without leave to reapply.

I find that the landlord is entitled to monetary compensation pursuant to Section 67 and therefore I grant a monetary order in the amount of **\$1,820.00** comprised of \$1,770.00 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.

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: August 20, 2010.

Dispute Resolution Officer