



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution for an order of possession and a monetary order.

The hearing was conducted via teleconference and was attended by the landlord and the tenant.

At the start of the hearing the parties indicated that the tenants had moved out during the month of July. The parties dispute the exact date but confirm there is no longer a need for an order of possession. The landlord also confirmed that he would not be claiming for compensation for the month of August 2010.

As such, the landlord's Application is amended to exclude the request for an order of possession and to reduce the monetary claim by \$1,165.00.

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 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

The tenancy began when the landlord purchased the rental unit from the tenant in 2006 and the rent paid was equivalent to the landlord's mortgage and strata fee payments. The parties agree for the months of June 2010 and July 2010 that was rent in the amount of \$1,165.00 per month.

Analysis

Based on the testimony of both parties I find the landlord is entitled to rent for the months of June and July 2010 in the amount specified by the parties.

Conclusion

I find that the landlord is entitled to monetary compensation pursuant to Section 67 and grant a monetary order in the amount of **\$2,380.00** comprised of \$2,330.00 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 23, 2010.

Dispute Resolution Officer