



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

Decision

Dispute Codes:

MNR, OPR, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession based on the Notice to End Tenancy for Unpaid Rent dated June 2, 2010 and a monetary order for rent owed.

Although served with the Application for Dispute Resolution and Notice of Hearing in person on July 27, 2010, the tenant did not appear.

The landlord advised that the tenant had vacated on July 30, 2010 pursuant to an Order of Possession obtained at a previous Dispute Resolution Hearing. Therefore, the portion of the application seeking an Order of Possession was found to be moot. The remaining issue, that being an application for a monetary order for rental arrears, had also been the subject of the previous hearing held on July 27, 2010 and had been dismissed with leave to reapply.

Issue(s) to be Decided

The issues to be determined based on the testimony and the evidence are:

Whether or not the landlord is entitled to monetary compensation for rental arrears owed and loss of rent

Background and Evidence

The landlord submitted into evidence a copy of the 10-Day Notice to End Tenancy. The landlord had not submitted a copy of the resident's rent-payment

ledger or a copy of the tenancy agreement. However, the landlord testified that the tenancy began on February 1, 2010, with rent of \$900.00 per month and at which time the tenant paid a security deposit of \$450.00. The landlord testified that the tenant failed to pay \$900.00 rent owed for the months of June 2010, July 2010 and loss of rent for August 2010 amounting to a total of \$2,700.00.

Analysis

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent by posting it on the door. The tenant has not paid the outstanding rent owed.

I find that the landlord has established a total monetary claim of \$2,750.00 comprised of \$2,700.00 accrued rental arrears and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the security deposit of \$450.00 in partial satisfaction of the claim leaving a balance due of \$2,300.00.

Conclusion

I hereby grant the Landlord an order under section 67 for \$2,300.00. This order must be served on the Respondent and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

September 2010

Date of Decision

Dispute Resolution Officer