



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNR, FF

Introduction

This matter dealt with an application by the Landlord for a Monetary Order for unpaid rent and to recover the filing fee for this proceeding. The Landlord said he served the Tenant with the Application and Notice of Hearing (the “hearing package”) by registered mail on May 12, 2010 and that the Tenant received that package on May 22, 2010. Based on the evidence of the Landlord, I find that the Tenant was served with the Landlord’s hearing package as required by s. 89 of the Act and the hearing proceeded in the Tenant’s absence.

Issues(s) to be Decided

1. Are there rent arrears and if so, how much?

Background and Evidence

This tenancy started on October 1, 2004 and ended on May 31, 2010 pursuant to an Order of Possession effective that date. Rent was \$750.00 per month until April 1, 2008 when it increased to \$777.75 per month. The Landlord said the Tenant began accumulating rent arrears in April 2007 and by the end of the tenancy the arrears totalled \$4,857.25. In support of his claim, the Landlord provided copies of his bank statements showing deposits made by the Tenant for his rent payments.

Analysis

Having reviewed the documentary evidence of the Landlord and in the absence of any contradictory evidence from the Tenant, I find that there are rent arrears in the amount of \$4,855.50 and I award the Landlord that amount. I also find that the Landlord is entitled pursuant to s. 72 of the Act to recover the \$50.00 filing fee from the Tenant for this proceeding.



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Conclusion

A Monetary Order in the amount of **\$4,905.50** has been issued to the Landlord and a copy of it must be served on the Tenant. If the amount is not paid by the Tenant, the Order may be filed in the Provincial (Small Claims) Court of British Columbia 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: September 21, 2010.

Dispute Resolution Officer