



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MND, MNR, FF

Introduction

This hearing was convened by way of conference call this date to deal with the landlord's application for a monetary order for unpaid rent and for damage to the unit, site or property, and to recover the filing fee from the tenant for the cost of this application.

Despite being served with the Landlord's Application for Dispute Resolution and notice of hearing documents by registered mail on May 6, 2010, the tenant did not attend the conference call hearing. The landlord attended the hearing and gave affirmed evidence.

At the outset of the hearing the landlord withdrew his claim for damage to the unit, site or property, and therefore that portion of the claim before me is hereby dismissed as withdrawn.

Issues(s) to be Decided

Is the landlord entitled to a monetary order for unpaid rent?

Background and Evidence

This fixed-term tenancy began on June 7, 2009 and was to expire on May 31, 2010. Rent in the amount of \$3,000.00 was payable in advance on the 1st day of each month, and the landlord collected a pro-rated amount of rent for the month of June, 2009. The landlord did not collect a security deposit from the tenant.

The landlord testified that the tenant failed to pay rent for the months of November and December, 2009, and further failed to pay rent for the months of January through April, 2010. The landlord served the tenant with a 10 Day Notice to End Tenancy on March 26, 2010, and the tenant vacated the unit on April 16, 2010.

The landlord is claiming unpaid rent in the sum of \$18,000.00.

Analysis

I accept the evidence of the landlord that the tenant vacated the unit as a result of the notice to end tenancy. I find that the landlord has established a claim for \$18,000.00 in unpaid rent. The landlord is also entitled to recovery of the \$50.00 filing fee.

Conclusion

I grant the landlord an order under section 67 for the balance due of \$18,050.00. 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*.

Dated: September 15, 2010.

Dispute Resolution Officer