

DECISION

Dispute Codes OPR, MNR, MNSD, MNDC, FF

Introduction

This is an application by the Landlord for an order of possession following a 10 day notice to end tenancy for unpaid rent. The Landlord is also seeking a monetary order for unpaid rent, the right to keep the security and pet deposit, compensation for late rent fees and the recovery of the filing fee.

The Landlord appeared by conference call and gave undisputed affirmed testimony. The Tenant did not attend.

The Landlord states that the majority of rent arrears have been paid by the Tenant and as such wishes to withdraw the application for an order of possession. The Landlord is now only seeking the remaining August rent arrears and recovery of the filing fee.

Issues(s) to be Decided

Is the Landlord entitled to a monetary order for rent arrears?

Background and Evidence

This Tenancy began on July 1, 2010 on a 12 month fixed term ending June 30, 2011. The signed tenancy agreement shows a monthly rent of \$995.00 payable on or before the 1st of each month. A security deposit of \$497.50 was paid on June 8, 2010 and a pet deposit was made on June 18, 2010.

The 10 day notice to end tenancy was served by posting it on the door on September 2, 2010 with a move out date of September 12, 2010. The hearing documents were served in person by the Landlord on September 20, 2010. The Landlord states that the only rent arrears are for August 2010 totalling \$17.50 as displayed in the resident ledger submitted by the Landlord.

Analysis

Based upon the above evidence, I find that the Landlord has satisfied the claim of August 2010 rent arrears totalling \$17.50. As such, the Landlord is entitled to recovery of the \$50.00 filing fee. I grant the Landlord a monetary order under section 67 for \$67.50. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Landlord is granted a monetary order for \$67.50.

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: October 28, 2010.
