

## **Decision**

### **Dispute Codes:**

OPR, OPC, MNR, MNSD, FF

### **Introduction**

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession based on a Notice to End Tenancy for Unpaid Rent and a One-Month Notice to End Tenancy for Cause. At the outset of the hearing the landlord advised that he had already been granted an Order of Possession in a previous decision from a hearing held on September 9, 2010 and the tenant had vacated on September 21, 2010.

Although served with the Application for Dispute Resolution and Notice of Hearing by registered mail sent on September 2, 2010, the tenant did not appear.

### **Issue(s) to be Decided**

The landlord was seeking a monetary order claiming unpaid rent of \$1,830.00.

The issue to be determined, based on the testimony and evidence, is whether or not the landlord is entitled to monetary compensation for rental arrears owed.

### **Background and Evidence**

The landlord testified that the tenancy began in December 2007, at which time the tenant paid a security deposit of \$430.00. The landlord testified that when the tenant failed to pay rent for August 2010 a 10-Day Notice to End Tenancy for Unpaid Rent was issued and served. The landlord testified that the tenant did not pay the rent owed including \$915.00 for the month of August 2010 and \$915.00 for the month of September 2010. The landlord submitted into evidence a copy of the tenancy agreement and proof of service of the Ten-Day Notice. The other evidence that was received was not germane to the issue before me.

**Analysis**

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent in person. The tenant has not paid the outstanding rent and I find that the landlord has established a total monetary claim of \$1,880.00 comprised of \$1,830.00 rent arrears and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the security deposit and interest of \$437.00 in partial satisfaction of the claim leaving a balance due of \$1,443.00.

**Conclusion**

I hereby grant the Landlord an order under section 67 for \$1,443.00. 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.

Dated: October 2010.

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Dispute Resolution Officer