



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

**Dispute Codes:** *MNR, OPR, CNR, LRE, RR, FF*

### **Introduction**

This hearing dealt with applications by both the Landlord and the tenant pursuant to the *Residential Tenancy Act*. The landlord applied for an order of possession and a monetary order for unpaid rent and the filing fee. The tenant applied for an order to cancel the notice to end tenancy, to suspend or set conditions on the landlord's right to enter the rental unit and to reduce rent for repairs.

Despite having applied for dispute resolution, the tenant did not attend the hearing. Therefore the tenant's application is dismissed without leave to reapply. Since the tenancy has ended, the landlord's application for an order of possession is no longer necessary. Therefore, this hearing only dealt with the landlord's application for a monetary order.

The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

### **Issues to be decided**

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

### **Background and Evidence**

The landlord testified that the tenancy started on January 01, 2009. The rent was \$1,400.00 payable on the first of each month. The tenant failed to pay full rent for July and owed the landlord \$720.00. She promised to pay this balance in instalments, but did not. On September 05, 2010, the landlord served the tenant with a ten day notice to end tenancy.

On October 04, 2010, the landlord received a call from the tenant. She advised him that she had moved out of the unit and informed him of the whereabouts of the keys. The tenant did not provide the landlord with her forwarding address. The landlord stated that the tenant had moved out without cleaning the unit.

The landlord has applied for a monetary order in the amount of \$720.00 for unpaid rent and \$50.00 for the filing fee.

### **Analysis**

Based on the undisputed sworn testimony of the landlord, I accept the landlord's evidence in respect of the claim. I find that the tenant owes \$720.00 for rent. Since the landlord has proven his case, I find that he is also entitled to the recovery of his filing fee, in the amount of \$50.00.

### **Conclusion**

I grant the landlord a monetary order under section 67 of the *Residential Tenancy Act* for the amount of **\$770.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court.

The tenant's application is dismissed in its entirety.

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 19, 2010.

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Dispute Resolution Officer