



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNR, MND, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking a monetary order.

The hearing was conducted via teleconference and was attended by the landlord only. The tenant did not attend.

The landlord testified that she served the tenant with notice of this hearing in person at the tenant's place of work. I accept the tenant has been served sufficiently and in accordance with the *Residential Tenancy Act (Act)*.

While the landlord submitted an application seeking financial compensation for lost rent only, I amend her application to exclude the matter of damage to the rental unit at this time.

Issues(s) to be Decided

The issues to be decided are whether the landlord is to a monetary order for unpaid rent; for damage to the rental unit and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to Sections 37, 45, 67, and 72 of the *Act*.

Background and Evidence

The landlord has provided a copy of a tenancy agreement signed by the parties on November 3, 2008 a month to month tenancy that began on November 15, 2008 for a monthly rent of \$1,450.00 due on the 1st of each month.

The landlord testified that the tenant failed to pay rent for the month of August, 2010 and that she allowed the tenant to stay as the tenant had promised to pay both August and September 2010 rent at the end of August.

The landlord testified the tenant then failed to pay August and September 2010 rent at the end of August and she told the landlord she was moving out. The landlord submits the tenant moved out September 10, 2010 and has not paid rent.

Analysis

In the absence of any contradictory testimony, I accept the landlord's evidence and testimony that the tenant has failed to pay rent for the months of August and September 2010.

Conclusion

I find that the landlord is entitled to monetary compensation pursuant to Section 67 and grant a monetary order in the amount of **\$2,950.00** comprised of \$2,900.00 rent owed and the \$50.00 fee paid by the landlord for this application.

This order must be served on the tenant and may be filed in the Provincial Court (Small Claims) 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: November 29, 2010.

Dispute Resolution Officer