

DECISION

Dispute Codes: OPR and FF

Introduction

This application was brought by the landlords on November 24, 2010 seeking an Order of Possession pursuant to a 10-day Notice to End Tenancy for unpaid rent and recovery of the filing fee for this proceeding.

This tenancy was the subject of a hearing on November 9, 2010 on the landlord's application. The dispute resolution officer found as fact that the tenant owed the landlord \$6,200 in unpaid rent and awarded the filing fee.

Despite having been served with the Notice of Hearing sent by registered mail on November 24, 2010, the tenant did not call in to the number provided to enable her participation in the telephone conference call hearing. Therefore, it proceeded in her absence.

At the commencement of the hearing, the landlord advised that the tenant had vacated the rental unit approximately one week before the hearing without having given notice or providing a forwarding address.

As I find that the application was made necessary by the tenant's failure to pay rent and to provide notice to the landlord, I find that the landlord is entitled to recover the filing fee for this proceeding by retaining \$50 from the tenant's security deposit.

The landlord remains at liberty to make application for loss of rent for December 2010 and for damage to the rental unit.

December 9, 2010