



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes OPR, MNR, FF

Introduction

Some documentary evidence, and written arguments have been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by hand on March 3, 2011 but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for an Order of Possession based on a Notice to End Tenancy for non-payment of rent and utilities, and a request for a monetary order for \$556.46.

Background and Evidence

The applicant testified that:

- He no longer requires an Order of Possession because the tenant vacated the rental unit on March 3, 2011 and return possession of the unit to him.
- The tenant has paid a portion of the outstanding February 2011 rent however there is still \$130.00 outstanding
- The tenant also owes \$126.48 in outstanding utilities.

The applicant is therefore requesting a monetary order for the outstanding rent and utilities in the amount of \$256.48. The applicant is also requesting recovery of his \$50.00 filing fee.

Analysis

The landlord has shown that the tenant has not paid the full rent for the month of February 2011, and that there is still \$130.00 outstanding. I therefore allow the claim for outstanding rent.

The landlord has also shown that the tenant has failed to pay her portion of the utilities and at this time there is \$126.48 outstanding. I therefore allow the claim for outstanding utilities.

I also allow the landlords request for recovery of the \$50.00 filing fee

Conclusion

I have issued a monetary order in the amount of \$306.48.

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: March 15, 2011.

Residential Tenancy Branch