



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This is an application by the Landlord for an order of possession resulting from a 10 day notice to end the tenancy for unpaid rent, a request for a monetary order for unpaid rent and the recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed affirmed testimony. The Tenant did not attend.

At the beginning of the hearing the Landlord's agent stated that instructions from the owner of the rental unit have resulted in the application for an order of possession to be withdrawn. The Landlord is only seeking a monetary order claim.

Issue(s) to be Decided

Is the Landlord entitled to a monetary order for unpaid rent?

Background and Evidence

The Landlord states that the Tenant was originally served with a 10 day notice to end the tenancy for unpaid rent on February 15, 2011 by registered mail. The Landlord also states that the notice of hearing and evidence package were served by registered mail on March 23, 2011. The Landlord has provided the Canada Post item tracking numbers for both.

The Landlord claims that the Tenant has not paid the monthly rent of \$1,050.00 for the months of February, March and April 2011. The total claim being sought is \$3,150.00 since the Tenant was served with the 10 day notice. The Landlord states that the Tenant normally gives the monthly rent to the caretaker and as of the time of the hearing has not received any payments and is still occupying the rental unit. The

Landlord has supplied a copy of the 10 day notice and a copy of an occupant ledger for the rental unit.

Analysis

I am satisfied based upon the undisputed affirmed testimony of the Landlord that the Tenant was properly served by registered mail with the 10 day notice to end tenancy and the notice of hearing and evidence packages.

Based upon the undisputed affirmed testimony and the evidence provided by the Landlord, I am satisfied that the Landlord has established a claim for \$3,150.00 in unpaid rent. The Landlord is also entitled to the recovery of the \$50.00 filing fee. I grant the Landlord an order under section 67 for a monetary order for the balance due of \$3,200.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Landlord is granted a monetary order for \$3,200.00.

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: April 14, 2011.

Residential Tenancy Branch