



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

A substantial amount of documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

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 rent, a request for a monetary order for \$2150.47, and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- The tenant has subsequently vacated the rental unit and therefore they no longer need an Order of Possession and they withdraw the claim for June 2011 rent.
- The tenant still however has outstanding rent as follows:

November 2010 rent outstanding	\$90.00
January 2011 rent outstanding	\$320.00
February 2011 rent outstanding	\$320.00
March 2011 rent outstanding	\$320.00
April 2011 rent outstanding	\$140.47

May 2011 rent outstanding	\$320.00
Total	\$1510.47

The applicant is therefore requesting a monetary order for the outstanding rent plus the \$50.00 filing fee for a total of \$1560.47.

The tenant testified that:

- She does not dispute that the above rent is outstanding, except that she believes a payment was made in the month of May 2011, however she has no evidence in support that claim.
- She has moved out of the rental unit and returned possession to the landlords.

Analysis

Based on the evidence provided it is my finding that the landlord has shown that there is \$1510.47 in rent outstanding.

The tenant stated that she believes a payment was made in the month of May 2011 however in the absence of any evidence to show a payment, it is my finding that the full rent for May 2011 is still outstanding.

I therefore allow the landlords full reduced claim for outstanding rent and the filing fee

Conclusion

I have issued a monetary order in the amount of \$1560.47

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: June 21, 2011.

Residential Tenancy Branch