



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, MNDC, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession for unpaid rent, a monetary order for unpaid rent, to keep all or part of the security deposit, money owed or compensation for damage or loss and recovery of the filing fee. Both parties participated in the conference call hearing.

Issue(s) to be Decided

Is the landlord entitled to any of the above under the Act.

Background and Evidence

This tenancy began January 5, 2010 with monthly rent of \$850.00 and the tenants paid a security deposit of \$425.00. On June 2, 2011 the landlord served the tenants with a 10 Day Notice to End Tenancy for Unpaid Rent.

The landlord testified that the tenants have made a number of payments towards the outstanding rent and currently owe the landlord \$57.00 for unpaid rent and \$25.00 for the late fee for July 2011.

The landlord requested to withdraw their application for an order of possession as they are working with the tenants in an effort to continue the tenancy.

The landlord is seeking compensation for the unpaid rent and late fees in the amount of \$82.00.

Analysis

Based on the documentary evidence and testimony I find that the tenants were properly served with a notice to end tenancy for non-payment of rent. The tenants have however been making payments towards the rent and the landlord had withdrawn their application for an order of possession.

As rent and late fees are still outstanding the landlord has requested a monetary order for the outstanding amounts. Based on the above facts I find that the landlord is entitled to a monetary order for unpaid rent and late fees.

I find that the landlord has established a claim for \$82.00 in unpaid rent and late fees.

The landlord is entitled to recovery of the \$50.00 filing fee.

Conclusion

I find that the landlord has established a monetary claim for \$82.00 in unpaid rent and late fees. The landlord is also entitled to recovery of the \$50.00 filing fee. I grant the landlord a monetary order under section 67 for the amount of **\$132.00**.

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: July 8, 2011.

Residential Tenancy Branch