



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order for unpaid rent and recovery of the filing fee.

The landlord participated in the conference call hearing but the tenant did not. The landlord presented evidence that the tenant was served with the application for dispute resolution and notice of hearing by registered mail. I found that the tenant had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence.

Issue(s) to be Decided

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

Background and Evidence

On May 2, 2011 the landlord applied for substituted service requesting that he be able to serve the tenant by registered mail at his parents address; this request was granted.

This fixed term tenancy began November 1, 2010 with monthly rent of \$425.00, the tenant did not pay a security deposit.

The landlord testified that the tenant did not pay the \$425.00 monthly rent for 5 months or \$215.00 in utilities and repeated attempts to contact the tenant to pay the rent had failed. The landlord stated that when the tenant vacated the rental unit he did not provide a forwarding address for the landlord which was why the landlord applied for substitute service for the hearing documents.

The landlord stated that rent was unpaid for the months of November, December 2010, January, March and April 2011. The landlord in this application is seeking \$2340.00 compensation which is for \$2125.00 in unpaid rent and \$215.00 in unpaid utilities.

Analysis

Based on the documentary evidence and undisputed testimony of the landlord, I find on a balance of probabilities that the landlord has met the burden of proving that they have grounds for entitlement to a monetary order for unpaid rent and utilities.

The tenant did not pay rent for 5 of the 6 months of the tenancy and failed to pay the utilities during the tenancy.

Accordingly I find that the landlord is entitled to a monetary order for \$2340.00 in unpaid rent and utilities.

As the landlord has been successful in their application the landlord is entitled to recovery of the \$50.00 filing fee.

Conclusion

I find that the landlord has established a monetary claim for \$2340.00 in unpaid rent and utilities. 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 due of **\$2390.00**.

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: August 12, 2011.

Residential Tenancy Branch