

## **DECISION**

Dispute Codes      OPR, MNR, FF

### Introduction

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

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

At the outset of the hearing, the Landlord stated that the registered mail notice of hearing package was returned by Canada Post being not delivered/ picked up after notification was left with the Tenant. The Landlord is satisfied that the Tenant has abandoned the rental unit and is no longer seeking an order of possession. At this time, the Landlord has withdrawn her application for late fees and liquidated damages and is now only seeking unpaid rent of \$1,300.00 and recovery of the \$50.00 filing fee.

### Issue(s) to be Decided

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

### Background and Evidence

The Landlord has submitted a copy of the registered mail confirmation receipt from Canada Post that was sent on July 22, 2011.

The Landlord states that a 10 day notice to end tenancy for unpaid rent was personally served on the Tenant on July 7, 2011. The Landlord states that the Tenant has abandoned the rental unit subsequent to that date and that rent for July remains unpaid as of the date of this hearing.

### Analysis

I am satisfied based upon both of the documentary and direct undisputed evidence of the Landlord that the Tenant was properly served with the notice of hearing, evidence and the 10 day notice to end tenancy for unpaid rent. The Landlord has established a claim for unpaid rent of \$1,300.00. The Landlord is also entitled to the recovery of the

\$50.00 filing fee. I grant an order under section 67 for the balance due of \$1,350.00. 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 \$1,350.00.

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 22, 2011.

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Residential Tenancy Branch