



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This hearing dealt with a claim by the landlord for an order of possession, a monetary order and an order permitting her to retain the security deposit. Despite having been personally served with the application for dispute resolution and notice of hearing on August 18, the tenant did not participate in the conference call hearing.

At the hearing the landlord withdrew her claim for an order of possession. The hearing proceeded to address only the claim for a monetary order.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The landlord's undisputed testimony is as follows. The tenant is obligated to pay \$1,100.00 in rent each month. The tenant failed to pay rent on the first day of August and was served with a notice to end tenancy. The landlord filed her application for dispute resolution 9 days after having served the notice to end tenancy on the tenant. The tenant eventually paid his rent for August plus a late payment fee and paid all but \$50.00 of the rent owing for September. The landlord wishes to recover the \$50.00 owing in rent, the \$25.00 late payment fee for September which is payable under the terms of the tenancy agreement and the \$50.00 filing fee paid to bring her application.

Analysis

I accept the landlord's undisputed testimony and I find that the tenant owes \$50.00 in rent and a \$25.00 late payment fee. I further find that the landlord is entitled to recover the filing fee. I award the landlord \$125.00.

Conclusion

I grant the landlord a monetary order under section 67 for \$125.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

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: September 16, 2011

Residential Tenancy Branch