



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, MNR, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order of possession and a monetary order for unpaid rent and the filing fee.

The notice of hearing was served on the tenant on October 24, 2011 by registered mail. The landlord filed a tracking number. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions

The tenant moved out on October 22, 2011. Since the tenant has moved out, the landlord withdrew her application for an order of possession. Therefore, this hearing only dealt with the landlord's monetary claim for unpaid rent and the filing fee.

Issues to be decided

Is the landlord entitled to a monetary order to recover unpaid rent and the filing fee?

Background and Evidence

The landlord testified that the tenancy started on September 01, 2011. The monthly rent was \$700.00.

The tenant failed to pay rent for October and on October 06, 2011; the landlord served the tenant with a ten day notice to end tenancy for non payment of rent. The tenant moved out without paying rent. The landlord is claiming rent for October - \$700.00 the filing fee of \$50.00 for a total of \$750.00

Analysis

Based on the sworn testimony of the landlord and in the absence of contradictory evidence from the tenant, I accept the landlord's evidence in respect of the claim. I find that the landlord is entitled to her monetary claim. Since the landlord has proven her claim, she is also entitled to the recovery of the filing fee.

Overall the landlord has established a total claim of \$750.00. I grant the landlord an order under section 67 of the *Residential Tenancy Act* for this amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order for **\$750.00**

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: November 15, 2011.

Residential Tenancy Branch