



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This hearing dealt with the landlords' Application for Dispute Resolution seeking an order of possession and a monetary order.

The hearing was conducted via teleconference and was attended by landlord only. The tenant did not attend.

The landlord testified she served the tenant personally with notice of this hearing on November 19, 2011.

The landlord also testified at the outset of the hearing the tenant vacated the rental unit on November 20, 2011. As such, there is no need for an order of possession and I amend the landlord's Application to exclude the matter of possession.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for unpaid rent; to a monetary order for unpaid rent; and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to Sections 46, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

The landlord testified the tenancy began sometime in 2004 as a month to month tenancy for the current monthly rent of \$850.00 due on the 1st of each month and that no security deposit was obtained.

The landlord testified the tenant failed to pay a portion of rent for the month of August 2011 leaving a balance of \$144.00 owing for August. The landlord also testified the tenant failed to pay any other amounts of rent for September or October 2011 until November when he paid \$650.00. The landlord testified the tenant owes rent in the amount of \$2,044.00 for rent for August, September, October, and November 2011.

Analysis

In the absence of any contrary testimony or evidence from the tenant, I accept the landlord's testimony and find the tenant has failed to pay rent in the amounts described by the landlord.

Conclusion

I find the landlord is entitled to monetary compensation pursuant to Section 67 and I grant a monetary order in the amount of **\$2,094.00** comprised of \$2,044.00 rent owed and the \$50.00 fee paid by the landlord for this application.

This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order in the Provincial Court (Small Claims) and be 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: December 06, 2011.

Residential Tenancy Branch