



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF, MNR, OPR

### Introduction

Some of documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed on December 2, 2011, however the respondent did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request for an Order of Possession based on a Notice to End Tenancy for non-payment of rent, a request for a monetary order for \$650.00, and a request for recovery of the \$50.00 filing fee.

### Background and Evidence

The applicant had requested an Order of Possession, however by the date of the hearing the respondent had already vacated the rental unit and therefore the landlord stated he no longer requires an Order of Possession.

The applicant testified that:

- The tenant failed to pay the full November 2011 rent in the amount of \$550.00.
- The tenant twice kicked in the door to the rental unit and as a result he is going to have to repair the door at an estimated cost of \$100.00, as the doorframe is broken as is the lock.

### Analysis

It is my finding that the tenant is liable for the full November 2011 rent in the amount of \$550.00 as he failed to pay the rent for that month and vacated after receiving a Notice to End Tenancy. The landlord was not able to re-rent it in the month of November.

I also allow the landlords request for a \$100.00 to repair the damage doorframe and lock as I accept the landlords direct testimony the tenant cause this damage by kicking open the door.

I also order recovery of the \$50.00 filing fee.

### Conclusion

I have issued a monetary order in the amount of \$700.00.

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: December 19, 2011.

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Residential Tenancy Branch