



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes:

OPR, MNR, MNSD, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession and a monetary order for rental arrears based on a Ten Day Notice to End Tenancy for Unpaid Rent dated January 25, 2012.

At the outset of the hearing, the landlord advised that the tenant vacated the rental unit yesterday. Therefore the request for an Order of Possession is now moot.

Although served with the Application for Dispute Resolution and Notice of Hearing by registered mail sent on February 12, 2012, as confirmed by copies of the Canada Post tracking numbers, the tenant did not appear.

Issue(s) to be Decided

The issue to be determined, based on the testimony and evidence, is whether or not the landlord is entitled to monetary compensation for rental arrears owed.

Background and Evidence

The landlord submitted a copy of the Ten Day Notice to End Tenancy for Unpaid Rent, and a copy of the tenancy agreement and proof of service into evidence.

The landlord testified that the tenancy began on July 1, 2011 with rent at \$2,000.00 and security deposit of \$1,000.00. The landlord testified that the tenant fell into arrears in January and a Ten Day Notice to End Tenancy for Unpaid Rent was issued.

The tenant also failed to pay \$2,000.00 rent for the month of February. The landlord is claiming total compensation of \$4,000.00 plus the \$50.00 cost of filing.

Analysis

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent. I find that the tenant has not paid the outstanding rent for January and February 2012, nor did the tenant apply to dispute the Notice.

Given the above, I find that the landlord is entitled to a monetary award of \$4,050.00 comprised of rental arrears of \$4,000.00 and the \$50.00 fee paid by the landlord for this application.

I order that the landlord retain the security deposit of \$1,000.00 in partial satisfaction of the claim, leaving a balance due to the landlord of \$3,050.00.

Conclusion

I hereby grant the Landlord an order under section 67 for \$3,050.00. This order must be served on the Respondent and may be filed in the Provincial Court (Small Claims) 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: February 28, 2012.

Residential Tenancy Branch