



# 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 for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. The landlord participated in the conference call hearing but the tenant(s) did not. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing by registered mail on March 5, 2012. I found that the tenants had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence. The landlords agent gave affirmed evidence.

### Issues to be Decided

Is the landlord entitled to an order of possession?

Is the landlord entitled to a monetary order for unpaid rent and loss of income?

### Background and Evidence

The tenancy began on or about November 1, 2010. Rent in the amount of \$1500.00 is payable in advance on the first day of each month. The tenant failed to pay rent in the month(s) of January and February 2012 and on February 24, 2012 the landlord served the tenant with a notice to end tenancy. The tenant further failed to pay rent in the month(s) of March 2012. At the outset of the hearing the landlord advised that the tenant has vacated the unit and no longer requires an order of possession; accordingly I dismiss that portion of the landlord's application. The landlord also advised that he was

able to rent the unit for March 15, 2012 and is only seeking half a months' rent in regards to March.

### Analysis

I accept the landlord's agent undisputed testimony, as for the monetary order, I find that the landlord has established a claim for \$3750.00 in unpaid rent. The landlord is also entitled to recovery of the \$50.00 filing fee. I grant the landlord an order under section 67 for the balance due of \$3800.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

### Conclusion

The landlord is granted a monetary order for \$3800.00.

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: March 19, 2012.

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Residential Tenancy Branch