



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has made application for a monetary Order for unpaid rent and to recover the filing fee from the tenants for the cost of this Application for Dispute Resolution.

The landlord provided affirmed testimony that on April 1, 2012, copies of the Application for Dispute Resolution and Notice of Hearing were sent to each tenant at the rental unit address via registered mail at the address noted on the Application. A Canada Post tracking number and receipts were provided as evidence of service.

These documents are deemed to have been served in accordance with section 89 of the Act; however the tenants did not appear at the hearing.

Preliminary Matter

The application was amended to reflect the claim submitted in the details of the dispute; for damage or loss under the Act.

Issue(s) to be Decided

Is the landlord entitled to a monetary Order for unpaid parking in the sum of \$160.00?

Is the landlord entitled to filing fee costs?

Background and Evidence

The tenancy commenced on July, 2009. On June 9, 2011, the landlord and tenant signed an addendum to the tenancy agreement for a parking stall in the sum of \$25.00 per month, to be paid with rent on the first day of each month. The agreement was signed by the female tenant.

The tenants paid \$20.00 in each of September and October, 2011; and have not paid any parking costs since. The landlord provided a copy of a tenant ledger showing payments made.

The landlord is claiming the balance owed in the sum of \$160.00.

Analysis

The tenant signed an agreement, changing the terms of the tenancy agreement, to include parking in the sum of \$25.00 per month, to be paid with rent on the first day of each month.

I find that the tenants have failed to pay the parking that is part of the tenancy agreement terms and that from October to April, 2012; the landlord is entitled to compensation in the sum of \$160.00 for unpaid parking. Pursuant to section 67 of the Act, a monetary order has been issued in that sum.

I find that the landlord's application has merit and that the landlord entitled to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution.

Conclusion

I find that the landlord established a monetary claim, in the amount of \$210.00, which is comprised of \$160.00 as compensation for damage and loss and \$50.00 in compensation for the filing fee paid by the landlord for this Application for Dispute Resolution.

Based on these determinations I grant the landlord a monetary Order for \$210.00. In the event that the tenants do not comply with this Order, it may be served on the tenants, filed with the Province of British Columbia Small Claims Court 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: April 26, 2012.

Residential Tenancy Branch