



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNSD, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for a monetary order for unpaid rent.

Although served with the Application for Dispute Resolution and Notice of Hearing by personal service on February 10, 2012, the tenant did not appear.

The landlord's agent appeared, gave affirmed testimony and was provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

Issue(s) to be Decided

Is the landlord entitled to a monetary order for unpaid rent?

Background and Evidence

The tenancy began on September 5, 2005. Rent in the amount of \$1,800.00 was payable on the first of each month. A security deposit of \$900.00 was paid by the tenant. Tenancy ended January 31, 2012.

The landlord's agent testified the tenant's history for rent payment has been irregular over the years. The landlord's agent testified the tenant owes \$10,360.00 for unpaid rent and they are requesting a monetary order. Filed in evidence is the rent ledger for the tenant commencing September 2008 and ending January 31, 2012.

Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

The history of the tenants payment of rent has been irregular during the course of the tenancy. The evidence of the landlord's agent was the tenant owes \$10,360.00 in

unpaid rent. The tenant's rent ledger filed in evidence shows irregular payments towards rent over the duration of the tenancy and the balance owing on the ledger is \$10,360.00, which support the landlord's claim for unpaid rent.

Therefore, I find that the landlord has established a total monetary claim of \$10,460.00 comprised of rent owed and the \$100.00 fee paid by the landlord for this application.

I order that the landlord retain the deposit and interest of \$931.89 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$9,528.11.

This order may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

Conclusion

I granted the landlord a monetary order for unpaid rent.

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 05, 2012.

Residential Tenancy Branch