



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNDC FF

Introduction

This hearing dealt with an application by the landlord for an order of possession and a monetary order. Despite having been personally served with the application for dispute resolution and notice of hearing on April 23, 2012, the tenant did not participate in the conference call hearing.

At the outset of the hearing the landlord stated that the tenant vacated the rental unit on April 25, 2012. Accordingly, I dismissed the portion of the landlord's application regarding an order of possession.

Issue(s) to be Decided

Is the landlord entitled to a monetary order?

Background and Evidence

The tenancy began on February 11, 2012. Rent in the amount of \$1150, plus \$35 for parking, was payable in advance on the first day of each month. The tenancy agreement includes a clause that indicates that late payment of rent or returned or NSF cheques are subject to an administrative fee of \$25 each, plus the amount of any service fee charged by a financial institution to the landlord.

All of the tenant's rent cheques and his cheque for the security deposit were returned for insufficient funds, and on April 15, 2012 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The tenant vacated the rental unit on April 25, 2012.

The landlord has claimed \$790 in pro-rated rent for February 2012; \$1185 for March 2012; \$1185 for April 2012; and \$241 for late fees, NSF fees and bank service fees.

Analysis

Upon consideration of the undisputed evidence, I find that the landlord is entitled to their monetary claim in its entirety. The landlord is also entitled to recovery of the \$50 filing fee for the cost of their application.

Conclusion

I grant the landlord an order under section 67 for the balance due of \$3451. This order may be filed in the 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: May 18, 2012.

Residential Tenancy Branch