

DECISION

Dispute Codes OPR, MNR

Introduction

This is an application filed by the Landlord for an order of possession and a monetary order for unpaid rent, for money owed or compensation for damage or loss and recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend. The Tenant did not submit any documentary evidence. The Landlord states that the Tenant was personally served with the notice of hearing and evidence package on July 5, 2012. The Landlord has provided a proof of service document indicating that the Tenant was served in this manner. I accept the undisputed testimony of the Landlord and find that the Tenant was properly served as deemed under the Act.

At the beginning of hearing the Landlord indicated that the Tenant has vacated the rental unit on July 15, 2012, but did not provide a forwarding address. As such the Landlord no longer required an order of possession.

Issue(s) to be Decided

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

Background and Evidence

The Landlord states that the Tenant was personally served with the 10 day notice to end tenancy for unpaid rent on June 25, 2012. The Landlord has provided a copy of proof of service statement that states that service was witnessed. The notice dated June 25, 2012 states that rent of \$550.00 was due on June 1, 2012 and was not paid. The Landlord states that the Tenant also did not make any rent payments after being served the notice. The notice displays an effective date of July 5, 2012.

The Landlord states that no signed tenancy agreement exists and that a security deposit was not paid.

The Landlord seeks recovery of June 2012 rent of \$550.00 and July 2012 rent of \$550.00 for a total claim of \$1,100.00.

Analysis

I accept the undisputed testimony of the Landlord and find that a claim for unpaid rent has been established for \$1,100.00 consisting of unpaid rent for June and July 2012 of \$550.00 per month. The Tenant was served with the 10 day notice to end tenancy for unpaid rent and did not pay the rent within the allowed 5 days and did not apply for dispute resolution to dispute the notice. The Landlord is also entitled to recovery of the \$50.00 filing fee. I grant the Landlord a monetary order for \$1,150.00. 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 \$1,150.00.

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: July 24, 2012.

Residential Tenancy Branch