

## **DECISION**

Dispute Codes      OPR, MNR, FF

### Introduction

This is an application filed by the Landlord for an order of possession and a monetary order for unpaid rent and the 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 served with the notice of hearing and evidence package by Canada Post Registered Mail on July 9, 2012. The Landlord has provided the Canada Post Customer Receipt as supporting evidence. The Landlord states that he believes that the Tenant left on June 4, 2012, but still receives mail at the rental address as the Tenant continues to receive monthly ministry cheques in his mail. The mail box is shared with another Tenant and the Landlord has enquired with the other Tenant who states that there has been no mail/cheques in the mailbox. Based upon the undisputed testimony of the Landlord I accept that the Tenant was properly served with the notice of hearing and evidence package.

As clarified by the Landlord at the beginning of the hearing, the Landlord believes that the Tenant vacated the rental unit as of June 4, 2012 and no longer requires an order of possession.

### Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

### Background, Evidence and Analysis

The Landlord states that the Tenant was served a 10 day notice to end tenancy for unpaid rent on June 4, 2012 by posting it on the rental unit door. The Landlord has provided a proof of service document which states that the notice was posted on the door on June 4, 2012 with his wife as a witness.

The Landlord states that as of the date of this hearing, the Tenant has not paid rent for June 2012 and believes that the Tenant has abandoned the rental unit. The Landlord

stated that he has gone into the rental unit and disposed of rotten perishable foods and has washed the dishes.

I accept the Landlord's undisputed testimony and find that the Tenant has failed to pay the \$900.00 monthly rent due for June and has not filed for dispute resolution over the notice. I find that the Landlord has established a claim for \$900.00 in unpaid rent for June. The Landlord is also entitled to recovery of the \$50.00 filing fee. The Landlord is granted a monetary order for \$950.00.

### Conclusion

The Landlord is granted a monetary order for \$950.00.

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 31, 2012.

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Residential Tenancy Branch