



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      FF, MNR, OPR

### Introduction

A substantial amount of documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

I also note that the male respondent passed away on June 17, 2012, however his name has been left on these documents to be dealt with, under his estate.

### Issue(s) to be Decided

This is a request for an Order of Possession based on a Notice to End Tenancy for non-payment of rent, and a request for a monetary order for \$3365.00.

### Decision and reasons

The tenant states that she does not dispute the request for an Order of Possession, and therefore I have issued an Order of Possession.

The applicant is requested a monetary order as follows:

Unpaid back rent	\$770.00
Unpaid June rent	\$1100.00
Photocopy/registered mail	\$50.00
Fuel/mileage	\$150.00
Parking	\$15.00
Landlords time 18 hours X \$50.00	\$900.00

Paid witness 4 hours X \$20.00	\$80.00
Legal fees	\$250.00
Filing fee	\$50.00
Total	\$3365.00

Both the landlord and tenant agree that this time there is \$770.00 in back rent outstanding, and \$1100.00 outstanding for July 2012.

I therefore allow the landlords claim for outstanding rent totalling \$1870.00.

I also order recovery of the \$50.00 filing fee.

The remainder of the landlords claim is for costs related to the dispute resolution process, and I have no authority to award any costs other than the filing fee and therefore the remainder of this claim is dismissed without leave to reapply.

The landlord also argued that there was \$616.87 in utilities outstanding; however the landlord has provided no evidence in support of this claim, nor has the landlord included utilities on the application for dispute resolution.

I therefore also deny the landlords request for outstanding utilities.

### Conclusion

I have issued an Order of Possession for 1 p.m. July 31, 2012.

I have issued a monetary order in the amount of \$1920.00.

The remainder of a monetary claim is dismissed without leave to reapply.

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.

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Residential Tenancy Branch