



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNR, FF

### Introduction

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the "Act") for Orders as follows:

1. A Monetary Order for unpaid rent - Section 67; and
2. An Order to recover the filing fee for this application - Section 72.

I accept the Landlord's evidence that the Tenant was served with the application for dispute resolution and notice of hearing by registered mail in accordance with Section 89 of the Act. The Tenant did not participate in the conference call hearing. The Landlord was given full opportunity to be heard, to present evidence and to make submissions.

### Issue(s) to be Decided

Is the Landlord entitled to the monetary amounts claimed?

Is the Landlord entitled to recovery of the filing fee?

### Background and Evidence

The tenancy began in 2010 and ended on April 30, 2012. Rent in the amount of \$800.00 is payable in advance on the first day of each month. The Landlord is not holding a security deposit as it was returned to the Tenant. The Landlord states that the Tenant failed to pay \$670.00 in rental arrears but that \$360.00 has since been received from the Tenant and that \$310.00 remains owing.

### Analysis

Section 26 of the Act provides that a tenant must pay rent when it is due. Based on the undisputed evidence of the Landlord, I find that the Landlord has substantiated that the Tenant failed to pay rent as it was due and that the Tenant owes \$310.00 for unpaid rent. I find therefore that the Landlord is entitled to the monetary amount of **\$310.00**. As the Landlord has been successful with its claim, I find that the Landlord is also entitled to recovery of the **\$50.00** filing fee for a total entitlement of **\$360.00**.

Conclusion

I grant the Landlord an order under Section 67 of the Act for the amount of **\$360.00**. If necessary, 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: August 16, 2012.

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Residential Tenancy Branch