



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 was scheduled in response to the landlord's application for an order of possession / a monetary order as compensation for unpaid rent / compensation for damage or loss under the Act, Regulation or tenancy agreement / and recovery of the filing fee. The landlord's agent participated in the hearing and gave affirmed testimony. Despite in-person service of the application for dispute resolution and notice of hearing on July 21, 2012, neither tenant appeared.

As the tenants have vacated the unit, during the hearing the landlord's agent withdrew the application for an order of possession.

Issue(s) to be Decided

Whether the landlord is entitled to any of the above under the Act, Regulation or tenancy agreement.

Background and Evidence

Pursuant to a written tenancy agreement, the tenancy began on July 1, 2006. Currently, the monthly rent is \$859.00 and it is due and payable in advance on the first day of each month. A security deposit of \$387.50 and a pet damage deposit of \$200.00 were collected at the start of tenancy.

Arising from rent which remained unpaid on July 1, 2012 (for June 2012) in the amount of \$213.00, the landlord issued a 10 day notice to end tenancy for unpaid rent dated July 5, 2012. The notice was served by way of posting on the tenants' door on that same date. A copy of the notice was submitted in evidence. Subsequently, while rent was paid in full for July 2012, the tenants vacated the unit effective July 31, 2012 without discharging the rental arrears for June 2012.

Analysis

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord's agent, I find that the tenants were served with a 10 day notice to end tenancy for unpaid rent dated July 5, 2012. The tenants did not pay the outstanding rent within 5 days of receiving the notice and did not apply to dispute the notice. As stated above, the tenants paid rent in full for July 2012 and vacated the unit at the end of July 2012, however, rent in the amount of \$213.00 remained unpaid for June 2012.

As for the monetary order, I find that the landlord has established a claim of \$283.00, which is comprised as follows:

\$213.00: *unpaid rent for June*

\$20.00: *fee assessed for late payment of rent (per the tenancy agreement)*

\$50.00: *filing fee*

The landlord has not applied to retain the security / pet damage deposit(s).

Conclusion

Pursuant to section 67 of the Act, I hereby issue a monetary order in favour of the landlord in the amount of \$283.00. Should it be necessary, this order may be served on the tenants, 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 13, 2012.

Residential Tenancy Branch