



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNR; FF

Introduction

This is the Landlord's application for a Monetary Order for unpaid rent; to recover the cost of the filing fee from the Tenant.

The Landlord's agent gave affirmed testimony at the Hearing.

Preliminary Matters

The Landlord's agent testified that the Tenant moved out of the rental unit in April 2011, without leaving a forwarding address. He stated that she re-applied for a tenancy at the Landlord's corporate office in another City and the Landlord attempted to serve her with the Notice of Hearing documents at the address given on that tenancy application. The Landlord's agent testified that service was unsuccessful at that address.

The Landlord was provided with a different address by a government ministry. The Landlord's agent testified that he mailed the Notice of Hearing documents and the Landlord's documentary evidence to the address provided by the ministry, by registered mail, on May 30, 2012. The Landlord provided a copy of the receipt and tracking number along with a copy of the Canada Post tracking information and attached signature of the recipient. The tracking information indicates that the Tenant received the documents on June 16, 2012, and the signature resembles the Tenant's signature on the tenancy agreement.

Based on the affirmed testimony of the Landlord's agent and the documentary evidence provided by the Landlord, I am satisfied that the Tenant was sufficiently served with the Notice of Hearing documents and copies of the Landlord's documentary evidence on June 16, 2012, pursuant to the provisions of Section 71(2)(b) of the Act. Despite being served with the Notice of Hearing documents, the Tenant did not sign into the teleconference and the Hearing proceeded in her absence.

Issues to be Decided

- Is the Landlord entitled to a Monetary Order for unpaid rent for the month of April, 2011 in the amount of \$554.00?

Background and Evidence

The Landlord's agent gave the following testimony:

This tenancy started on September 3, 2007. Monthly rent is subsidized. No security deposit was paid. The tenancy ended on April 19, 2011, as a result of a Notice to End Tenancy for Unpaid Rent issued April 8, 2011. The Tenant did not pay any of the outstanding rent for April, in the amount of \$554.00.

The Landlord provided copies of the following documents in support of its application:

1. Tenancy agreement;
2. Move-In Condition Inspection Report;
3. 10 Day Notice to End Tenancy issued April 8, 2011;
4. Notice of Vacancy form;
5. Tenant debt letter
6. Statement of Tenant Debt Charges
7. Print out of Tenant ledger

Analysis

Based on the Landlord's agent's undisputed testimony and the Landlord's documentary evidence, I find that the Landlord has established a monetary claim for unpaid rent in the total amount of **\$554.00**.

The Landlord has been successful in its application and I find that it is entitled to recover the cost of the **\$50.00** filing fee from the Tenant.

Conclusion

I hereby provide the Landlord a Monetary Order in the amount of **\$604.00** for service upon the Tenant. This Order must be served on the Tenant and may be filed in the Provincial Court of British Columbia (Small Claims) 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 09, 2012.

Residential Tenancy Branch