



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, MNSD, FF

### Introduction

This hearing dealt with a landlord's application for an Order of Possession for unpaid rent and a Monetary Order for unpaid rent. The tenant did not appear at the hearing. The landlord testified that the hearing documents were sent to the tenant via registered mail on August 17, 2012 and the hearing documents were successfully delivered. Based upon the landlord's affirmed testimony I accepted that the tenant was sufficiently served with the hearing documents and I proceeded to hear from the landlord without the tenant present.

At the commencement of the hearing the landlord stated the tenant vacated the rental at the end of August 2012 and the landlord no longer requires an Order of Possession. Accordingly, the remainder of this decision deals with the landlord's monetary claim only.

The landlord reduced the monetary claim to reflect unpaid rent for the months of July and August 2012 only.

### Issue(s) to be Decided

Is the landlord entitled to recover unpaid rent for the months of July and August 2012?

### Background and Evidence

The landlord provided verbal testimony as to the following:

1. The tenancy commenced in mid-June 2012 and the tenant paid pro-rated rent for the month of June 2012.
2. The tenant did not pay the security deposit.
3. Under the tenancy agreement the tenant was required to pay rent of \$625.00 on the 1<sup>st</sup> day of every month.
4. The tenant failed to pay rent for July or August 2012.

5. On August 2, 2012 the landlord issued a 10 Day Notice to End Tenancy for Unpaid Rent indicating rental arrears of \$1,250.00.
6. The tenant did not pay the outstanding rent and vacated the rental unit at the end of August 2012.

The landlord explained that a 10 Day Notice was not issued in July 2012 as the landlord is a not-for-profit organization that provides affordable housing and the landlord wanted to provide the tenant an opportunity to settle in and get his finances in order.

### Analysis

Based upon the undisputed evidence before me I accept that the tenant occupied the rental unit in July and August 2012 and the landlord is entitled to rent of \$1,250.00 for those months under a tenancy agreement. Therefore, I grant the landlord's request to recover \$1,250.00 from the tenant for unpaid rent.

I further award the \$50.00 filing fee to the landlord.

In light of the above, the landlord is provided a Monetary Order in the total amount of \$1,300.00 to serve upon the tenant and enforce as necessary.

### Conclusion

The landlord has been provided a Monetary Order for recovery of unpaid rent and the filing fee in the total amount of \$1,300.00 to serve upon the tenant and enforce as necessary.

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: September 19, 2012.

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Residential Tenancy Branch