



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, FF

### Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. The landlord participated in the conference call hearing but the tenant(s) did not. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing by having a witness present when personally serving the tenant on September 10, 2012. I found that the tenants had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence. The landlord gave affirmed evidence.

### Issues to be Decided

Is the landlord entitled to an order of possession?

Is the landlord entitled to a monetary order for unpaid rent and loss of income?

### Background and Evidence

At the outset of the hearing the landlord advised that the tenant vacated the unit on September 12, 2012 and no longer requires an order of possession, accordingly I dismiss that portion of the landlord's application.

The tenancy began on or about August 1, 2012. Rent in the amount of \$730.00 is payable in advance on the first day of each month. The tenant failed to pay rent in the month(s) of August and September. The tenant originally gave the landlord the first month's rent and deposit but put a "stop payment" on the cheque. The landlord has not

received any rent from the tenant and incurred a \$7.00 fee from his bank which he seeks to recover.

### Analysis

The landlord provided documentary evidence to support his undisputed claim. As for the monetary order, I find that the landlord has established a claim for \$1460.00 in unpaid rent and a \$7.00 bank charge. The landlord is also entitled to recovery of the \$50.00 filing fee. I grant the landlord an order under section 67 for the balance due of \$1517.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

### Conclusion

The landlord is granted a monetary order for \$1517.00.

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: October 11, 2012.

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Residential Tenancy Branch