



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

1. An Order of Possession - Section 55;
2. A Monetary Order for unpaid rent - Section 67;
3. An Order to recover the filing fee for this application - Section 72.

I accept the landlord's evidence that despite the tenant having been served with the application for dispute resolution and notice of hearing by registered mail in accordance with Section 89 of the Residential Tenancy Act (the Act) the tenant did not participate in the conference call hearing. The landlord provided testimony that they tracked the mail online, and that it was received by the tenant on December 27, 2012. The landlord further testified the tenant had vacated January 01, 2013 therefore an Order of Possession is not necessary. The landlord only seeks a Monetary Order for unpaid rent.

Despite the tenant's lack of attendance 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?

Background and Evidence

The tenancy began on October 01, 2012. Rent in the amount of \$900.00 was payable in advance on the first day of each month. At the outset of the tenancy, the landlord did not collect a security deposit from the tenant. The tenant failed to pay any rent during this tenancy and on December 10, 2012 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The tenant subsequently vacated January 01, 2013. The quantum of the landlord's monetary claim is for the unpaid rent for October to December 2012 in the sum amount of \$2700.00.

Analysis

Based on the landlord's testimony I find that the tenant was served with a notice to end tenancy for non-payment of rent and I find the notice to be valid. The tenant has not paid the outstanding rent and has not applied for Dispute Resolution to dispute the notice and has since vacated the unit.

I find that the landlord has established a monetary claim for **\$2700.00** in unpaid rent. The landlord is also entitled to recovery of the \$50 filing fee, for a total entitlement of **\$2750.00**.

Conclusion

I am granting the landlord an Order under Section 67 of the Act for the amount of **\$2750.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Decision is final and binding on both parties.

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: January 23, 2013

Residential Tenancy Branch

