



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** OPR, OPC, MNR, MNSD, FF

### **Introduction**

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for orders as follows:

1. A monetary order pursuant to Section 67;
2. An Order of Possession pursuant to Section 55; and
3. An Order to recover the filing fee pursuant to Section 72.

I accept the landlord's evidence that the tenant was properly served with the Notice to End Tenancy by way of posting the Notice to the rental unit door.

I accept the landlord's evidence that the tenant was properly served with the Application for Dispute Resolution including the Notice of Hearing and the landlord's evidence by way of registered mail.

Both parties were given full opportunity to be heard, to present evidence and to make submissions. Neither party requested an adjournment or a Summons to Testify.

On the basis of the solemnly sworn evidence presented at the hearing a decision has been reached.

### **Issue(s) to be Decided**

Whether the landlord has cause to end this tenancy and receive an Order of Possession and whether the landlord is entitled to monetary order for unpaid rent and recovery of the filing fee.

## **Background and Findings**

### **Order of Possession**

The parties agree that the tenant has now vacated the rental unit. The Order of Possession is no longer required and this application is dismissed.

### **Monetary Order**

#### ***Rental Arrears***

The parties state that rent of \$750.00 per month is due and payable on the 16<sup>th</sup> of each month. The parties agree that the tenant did not pay rent on November 16, 2012 and was then served with a 10 day Notice to End Tenancy for unpaid rent in November 21, 2012. The tenant did not dispute the notice and vacated on November 29, 2012. The tenant says she has no dispute with the landlord's claim and no longer wishes to deal with the landlord.

Based on the evidence of the parties I will allow the landlord's claim for unpaid rent in the sum of \$750.00. The landlord holds a \$375.00 security deposit paid June 16, 2007 which has accrued \$8.51 in interest for a total value of \$353.51 which shall be deducted from the monetary award made in the landlord's favour.

#### ***Filing Fees***

As the landlord has been successful in this application I find that the landlord is entitled to recover the filing fees paid for this application.

#### ***Calculation of total Monetary Award***

Rental Arrears	\$750.00
Filing Fees for the cost of this application	50.00
Less security deposit and interest	-353.51
Total Monetary Award	\$446.49

## **Conclusion**

The landlord is provided with a formal copy of an order of possession. This is a final and binding Order enforceable as any Order of the Supreme Court of British Columbia.

The landlord is provided with a formal copy of an order for the total monetary award as set out above. This is a final and binding Order enforceable as any Order of the Provincial Court of British Columbia.

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 08, 2013.

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Residential Tenancy Branch

