



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR FF

Introduction

This hearing dealt with an application by the landlord for a monetary order for unpaid rent.

The landlord and counsel for the landlord participated in the teleconference hearing, but the tenant did not call into the hearing. On November 2, 2012 the landlord served the tenant with the application for dispute resolution and notice of hearing by registered mail. Section 90 of the Act states that a document is deemed to have been served five days after mailing. I find that the tenant is deemed served with notice of the hearing on November 7, 2013.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on November 1, 2010. Rent in the amount of \$1950 was payable in advance on the first day of each month. The tenant rented the whole house, and then sublet the basement to the downstairs occupant. The downstairs occupant did not have a tenancy agreement with the landlord, and in a previous hearing, the downstairs occupant was found not to be a tenant of the landlord.

The tenancy between the landlord and the main tenant ended on or about the end of April 2012. The landlord stated in the hearing that the tenant had not paid full rent for February, March or April 2012. The landlord claimed \$1950 in unpaid rent. The landlord did not provide any ledger or other supporting documents to verify the amounts of rent the tenant did or did not pay.

Analysis

I find that the landlord has not provided sufficient evidence to support his monetary claim. The claim is therefore dismissed.

As the landlord was not successful in his application, he is not entitled to recovery of the \$50 filing fee for the cost of his application.

Conclusion

The landlord's application is dismissed.

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: March 4, 2013

Residential Tenancy Branch

