



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding North Cariboo Realty Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      FF, MNR, OPR

### Introduction

#### Absence

Some documentary evidence and written arguments have been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed March 15, 2013, however the respondent did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is an application for an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, a request for a Monetary Order for outstanding rent totaling \$850.00, and a request for recovery of the \$50.00 filing fee.

### Background and Evidence

The applicant testified that:

- This tenancy began on October 1, 2012 with the monthly rent of \$425.00 due on the first of each month.
- The tenant failed to pay both the February 2013, and March 2013 rent and therefore on March 5, 2013 the tenant was personally served with a 10 day Notice to End Tenancy.

- The tenant failed to comply with that 10 day notice, and therefore on March 13, 2013 they apply for dispute resolution.
- The tenant subsequently vacated the rental unit on March 31, 2013, however the tenant never paid any further rent.
- They therefore no longer need an Order of Possession, but they are requesting a Monetary Order for the outstanding rent and filing fee.

### Analysis

It's my finding that the landlord has shown that the tenant lived in the rental unit for the months of February 2013, and March 2013 without paying any rent for those months.

It is also my finding that the landlord has shown that the monthly rent was \$425.00, and I therefore allow the landlords request for a Monetary Order for \$850.00.

I also allow the request for recovery of the \$50.00 filing fee.

### Conclusion

I have issued a Monetary Order in the amount of \$900.00.

The landlord withdrew the request for an Order of Possession.

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: April 11, 2013

---

Residential Tenancy Branch