



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, O, FF

### Introduction

This was a hearing with respect to the landlord's application for an order of possession and a monetary order. The hearing was conducted by conference call. The landlord called in and participated in the hearing. The tenant did not attend, although she was served with the application and Notice of Hearing by registered mail sent on May 1, 2013. The landlord advised at the hearing that the tenants moved out of the rental unit on May 20, 2013 and an order for possession is no longer required.

### Issue(s) to be Decided

IS the landlord entitled to a monetary award and if so, in what amount?

### Background and Evidence

The rental unit is a house. The tenancy began on November 7, 2012. Monthly rent was \$1,300.00. There are two tenants named in the tenancy agreement, but the landlord has named only one of the tenants in this application for dispute resolution. The tenants made one payment in the amount of \$1,500.00 in December 2012. They made no other payments and moved out on or about May 20, 2013.

In the application filed on April 29, 2013 the landlord claimed payment of rent for the months of February, March and April in the amount of \$3,900.00, but there was also no rent paid for January and no rent paid in May. The landlord has chosen not to claim those amounts.

### Analysis and conclusion

I accept the landlord's testimony that there is unpaid rent that exceeds the amount of \$3,900.00 claimed in the application for dispute resolution. Based on the landlord's

undisputed testimony I find that the landlord is entitled to a monetary award in the amount claimed. The landlord is entitled to recover the \$50.00 filing fee for this application for a total award in the amount of \$3,950.00 and I grant the landlord an order under section 67 in the said amount. This order may be filed in the Small claims Court and enforced as an order of that court.

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: May 28, 2013

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Residential Tenancy Branch