



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession based on a Notice to End Tenancy for Unpaid Rent and, a monetary order for rent owed.

Although served with the Application for Dispute Resolution and Notice of Hearing by registered mail sent on April 25, 2013, the tenant did not appear.

At the outset of the hearing, the landlord advised that the tenant had made an application to dispute the Notice, which was dismissed at a hearing held on April 29, 2013. The landlord also stated that they are no longer seeking an Order of Possession as the tenant vacated the unit sometime in April 2013. The landlord still seeks a monetary order for the rent owed.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation for rental arrears?

Background and Evidence

The landlord testified that the tenancy began on July 1, 2012, with rent of \$400.00 per month due on the 31st day of each month, and no security deposit was paid. The landlord testified that when the tenant fell into arrears with his rent, she served him with a 10-Day Notice to End Tenancy for Unpaid Rent by posting it on the door on April 1, 2013.

The landlord submitted into evidence a copy of the 10-Day Notice to End Tenancy dated April 1, 2013, with effective date of April 11, 2013, proof of service, written testimony and copies of communications. The landlord testified that the tenant did not pay the accrued arrears and the landlord is claiming \$800.00, plus the cost of filing the application.

Analysis

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent by posting it on the door. I find that the tenant has not paid the outstanding rent and the tenant's earlier application to dispute the Notice was dismissed at a previous hearing.

I find that the landlord has established a total monetary claim of \$850.00 comprised of rental arrears of \$800.00, and the \$50.00 fee paid by the landlord for this application.

I hereby grant the Landlord an order, under section 67 of the Act, for \$850.00. This order must be served on the Respondent and is final and binding. If necessary it may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

Conclusion

The landlord is successful in the application and is granted a monetary order for rental arrears. The request for the order of possession was found to be moot as the tenant vacated prior to the hearing.

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 13, 2013

Residential Tenancy Branch