



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, MNR, MNDC & FF

Introduction

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondents although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Notice to End Tenancy was sufficiently served on the Tenants on April 3, 2013. Further, I find that Application for Dispute Resolution/Notice of Hearing was sufficiently served on the Tenants on April 16, 2013. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the landlord is entitled to an Order for Possession?
- b. Whether the landlord is entitled to A Monetary Order and if so how much?
- c. Whether the landlord is entitled to recover the cost of the filing fee?

Background and Evidence:

The tenancy began on February 26, 2013. The rent is \$800 per month payable on the first day of each month. The tenant(s) paid a security deposit of \$400 at the start of the tenancy.

The tenant(s) failed to pay the rent for the months of April and the sum of \$800 remains owing. The tenant(s) vacated the rental unit on or about April 20, 2013.

Analysis - Order of Possession:

It is no longer necessary to consider the landlord's application for an Order for Possession as the tenants have vacated the rental unit and the landlord has regained possession.

Analysis - Monetary Order and Cost of Filing fee

I determined the tenant has failed to pay the rent for the month(s) of April and the sum of \$800 remains outstanding. I dismissed the claim of \$400 for damage to the lawn with liberty to re-apply as the landlord failed to present sufficient evidence to establish this claim. I granted the landlord a monetary order in the sum of \$800 plus the sum of \$50 in respect of the filing fee for a total of \$850.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial 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 13, 2013

Residential Tenancy Branch

