



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BC HOUSING MANAGEMENT COMMISSION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: MNR OPR FF

Introduction:

This hearing dealt with an application by the landlord pursuant to the Residential Tenancy Act for orders as follows:

- a) A monetary order pursuant to Section 67;
- b) An Order of Possession pursuant to Sections 46, and 5; and
- d) An order to recover the filing fee pursuant to Section 72.

SERVICE:

The tenant did not attend. The landlord provided evidence that the Notice to end Tenancy dated February 8, 2013 was served by mail and the Application for Dispute Resolution by registered mail. It was verified online as successfully delivered. I find that the tenant was properly served with the documents according to sections 88 and 89 of the Act.

Issue(s) to be Decided:

The tenant was issued a Notice to End Tenancy dated February 8, 2013 for unpaid rent. The landlord no longer requires an Order of Possession as the tenant has vacated. The issue is if the landlord has proved entitlement to a Monetary Order for rental arrears and filing fee?

Background and Evidence:

The tenant did not attend although served with the Application/Notice of Hearing or submit any dispute. The landlord attended and was given opportunity to be heard, to present evidence and to make submissions. The undisputed evidence is that the tenancy commenced in December 2012, rent is \$595 a month and there is no security deposit. It is undisputed that the tenant owes \$195 rent for February 2013 and \$595 for each of March and April 2013. The landlord provided copies of the rental ledger, the rent receipts and the lease in evidence. The landlord said they had worked with the tenant to try to resolve the problem without success and it appeared the tenant had vacated in April 2013.

On the basis of the documentary and solemnly sworn evidence presented at the hearing, a decision has been reached.

Analysis:

The landlord no longer requires an Order of Possession as the tenant has vacated.

Monetary Order

I find that there are rental arrears in the amount of \$1385 representing rental arrears from February to April 2013. I find the landlord's testimony is well supported by the rental ledger and receipts.

Conclusion:

I find the landlord is entitled to a monetary order as calculated below. I find the landlord is entitled to recover filing fees paid for this application.

Calculation of Monetary Award:

Rental Arrears Feb. to April 2013	1385.00
Filing fee for this application	50.00
Total Monetary Order	1435.00

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 09, 2013

Residential Tenancy Branch