



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Woodsmere Holdings Corp.  
and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes:** OPR, MNDC, FF

### **Introduction**

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

1. A monetary order pursuant to Section 67;
2. An Order of Possession pursuant to Section 55; and
3. An Order to recover the filing fee pursuant to Section 72.

I accept the landlord's evidence that the tenant was properly served with the Notice to End Tenancy by way of posting the Notice to the rental unit door.

I accept the landlord's evidence that the tenant was properly served with the Application for Dispute Resolution including the Notice of Hearing and the landlord's evidence by way of personal service.

The tenant did not appear. The landlord was given full opportunity to be heard, to present evidence and to make submissions.

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

**Issue(s) to be Decided**

Whether the landlord has cause to end this tenancy and receive an Order of Possession and whether the landlord is entitled to monetary order for unpaid rent and recovery of the filing fee.

**Background and Findings**

**Order of Possession**

The landlord testified that the tenant has now vacated the rental unit. The landlord therefore withdraws the application for an Order of Possession.

**Monetary Order**

***Rental Arrears***

Based on the undisputed evidence of the landlord I find that the landlord has met the burden of proving that there are rental arrears. I find the landlord is entitled to recovery of those arrears. I will award the landlord a monetary order for rental arrears in the sum of \$834.40 for the months of February and March 2013.

The landlord also sought a \$25.00 late payment fee however this application is dismissed as there has been insufficient evidence to show that the tenant agreed to pay a late payment fee.

***Filing Fees***

As the landlord has been successful in this application I find that the landlord is entitled to recover the filing fees paid for this application.

***Calculation of total Monetary Award***

Rental Arrears	834.40
Filing Fees for the cost of this application	50.00
Total Monetary Award	884.40

**Conclusion**

The landlord is provided with a formal copy of an order for the total monetary award as set out above. This is a final and binding Order enforceable as any Order of the Provincial Court of British Columbia.

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: June 11, 2013

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Residential Tenancy Branch

