



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR FF

Preliminary Issues

The Landlord testified that they attended a hearing on May 16, 2013, to hear their application for an early end of tenancy where they were granted an Order of Possession. Therefore they were withdrawing their request for an Order of Possession.

Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord to obtain a Monetary Order for: unpaid rent or utilities and to recover the cost of the filing fee from the Tenant for this application.

Issue(s) to be Decided

1. Is the Landlord entitled to a Monetary Order?

Background and Evidence

The parties entered into a written tenancy agreement that began on April 1, 2013. Rent is payable on the first of each month in the amount of \$900.00 and on March 26, 2013 the Tenant paid \$450.00 as the security deposit.

The Landlord submitted that when the Tenant failed to pay the May 1, 2013 rent they personally served him a 10 Day Notice on May 2, 2013. The Tenant vacated the property by May 12, 2013. The Landlord is seeking the monetary order for unpaid rent and the filing fee.

Analysis

Section 26 of the Act stipulates that a tenant must pay rent in accordance with the tenancy agreement.

The Landlord claimed unpaid rent of \$900.00 which was due May 1, 2013. The Tenant failed to pay rent in accordance with the tenancy agreement which is a breach of section 26 of the Act. Accordingly, I award the Landlord a Monetary Award for unpaid rent of **\$900.00**.

The Landlord has been successful with their application; therefore I award recovery of the **\$50.00** filing fee

Conclusion

The Landlord has been awarded a Monetary Order in the amount of **\$950.00** (\$900.00 + \$50.00). This Order is legally binding and must be served upon the Tenant. In the event the Tenant does not comply with this Order it may be filed with the Province of British Columbia 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: June 05, 2013

Residential Tenancy Branch

