



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking an order of possession and a monetary order.

The hearing was conducted via teleconference and was attended by both landlords.

The landlord testified the tenant was served with the notice of hearing documents and this Application for Dispute Resolution, pursuant to Section 59(3) of the *Residential Tenancy Act (Act)* personally on June 19, 2013 in accordance with Section 89.

Based on the testimony of the landlord, I find that the tenant has been sufficiently served with the documents pursuant to the *Act*.

The landlord also testified the tenant moved out of the rental unit sometime prior to July 9, 2013. The landlord stated that they had been trying to reach the tenant for a couple of days and on July 9, 2013 some neighbours informed the landlords the tenant moved out a couple of days prior to that date. As such, the landlord no longer requires an order of possession and I amend their Application to exclude the matter of possession.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to a monetary order for unpaid rent, pursuant to Sections 67, and 72 of the *Act*.

Background and Evidence

The landlord testified the tenancy began as a month to month tenancy on February 1, 2013 for the monthly rent of \$700.00 due on the 1st of each month and a security deposit of \$300.00 was paid; and

The landlord testified the tenant failed to pay the full rent owed for the month of June, 2013 and that the tenant was served the 10 Day Notice to End Tenancy for Unpaid Rent by posting it to the rental unit door on June 7, 2013. The landlord also confirmed the tenant did not pay any rent for July 2013.

Analysis

I accept the landlords' undisputed testimony that the tenant failed to pay rent for the month of June and July 2013. As the tenant still had possession of the rental unit after July 1, 2013 I find the tenant is responsible for the payment of rent for that month.

Conclusion

I find the landlord is entitled to monetary compensation pursuant to Section 67 and grant a monetary order in the amount of **\$1,450.00** comprised of \$1,400.00 rent owed and the \$50.00 fee paid by the landlord for this application.

This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order in the Provincial Court (Small Claims) and be 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: July 18, 2013

Residential Tenancy Branch