



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR

### 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 the landlord; his agent; the tenant and his legal counsel.

The hearing was convened as a result of the tenant's Application for Review Consideration on the landlord's Application for Dispute Resolution that was adjudicated through the Direct Request process. The hearing was set to hear matters relating to the order of possession and the monetary orders issued by an Arbitrator on July 4, 2013.

However, it appears that the landlord obtained a Writ of Possession from the Supreme Court of British Columbia while the tenant's Application for Review Consideration was being determined and the landlord had the tenant removed from the property on the basis of that Writ.

As such, I can only consider the issue of the monetary order granted in the July 4, 2013 decision. I note that parties did discuss at great length the possibility of settling this and all claims between the parties but they could not reach a settlement, during the hearing.

### 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 *Residential Tenancy Act (Act)*.

### Background and Evidence

The parties agree the tenant did not pay rent for the month of June 2013. The parties agreed that the amount owed to the landlord was \$450.00. The tenant submits that he had attempted to pay the rent on June 3, 2013 but the landlord's agent refused to accept any payment from the tenant.

The landlord's agent testified that he does not recall having a conversation with the tenant regarding the payment of rent at the beginning of June 2013.

Analysis

As per the tenant's own testimony, I find the landlord is entitled to unpaid rent in the amount of \$450.00.

Conclusion

As the above noted amount is no different than the amount granted in the original Direct Request decision of July 4, 2013 I find no reason to vary or set aside the original monetary order. I therefore confirm the original monetary order, pursuant to Section 82(3) of the *Act*.

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: August 27, 2013

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Residential Tenancy Branch