



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding COLUMBIA PROPERTY MANAGEMENT LTD.  
and [tenant name suppressed to protect privacy]

## **Decision**

### **Dispute Codes:**

MNR, OPR, MNSD, MNDC, FF

### **Introduction**

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession based on the Notice to End Tenancy for Unpaid Rent and a monetary order for rental arrears.

Although served with the Application for Dispute Resolution and Notice of Hearing by registered mail sent on August 21, 2013, the tenant did not appear.

At the outset of the hearing the landlord advised that the tenant vacated the rental property on, or around, September 3, 2013. Therefore, the request for an Order of Possession is now moot. The landlord is still pursuing a monetary claim.

### **Issue(s) to be Decided**

Is the landlord entitled to monetary compensation for rental arrears owed?

### **Background and Evidence**

The landlord submitted into evidence a copy of the 10-Day Notice to End Tenancy dated August 8, 2013 with effective date of August 18, 2013, a copy of the tenancy agreement and proof of service. The landlord testified that the tenancy began on June 1, 2013, at which time the tenant paid a security deposit of \$400.00 and the current rent is \$800.00 per month. The landlord testified that the tenant failed to pay \$800.00 rent owed in August and a \$25.00 late fee payable under the tenancy agreement.

The landlord is claiming \$825.00 plus the \$50.00 cost of the application.

### **Analysis**

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent in person. The tenant has not paid the arrears and did not apply to dispute the Notice.

I find that the landlord has established a total monetary claim of \$875.00, comprised of \$800.00 rental arrears, \$25.00 late fees and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the tenant's security deposit of \$400.00 in partial satisfaction of the claim leaving a balance due of \$475.00.

I hereby grant the Landlord an order under section 67 for \$475.00. This order must be served on the Respondent and is final and binding. If necessary it may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

### **Conclusion**

The landlord's application is successful and the landlord is granted a monetary order for rental arrears. The request for an Order of Possession is moot as the tenant vacated prior to the hearing.

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: September 30, 2013

---

Residential Tenancy Branch

