



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for an order of possession and for a monetary order for unpaid rent and the filing fee.

The notice of hearing was served on the tenant on August 15, 2013 by posting it on the front door. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

The tenant moved out sometime around August 21, 2013, without informing the landlord. Since the tenant has moved out, the landlord withdrew his application for an order of possession. Therefore, this hearing only dealt with the landlord's monetary claim.

Issues to be decided

Is the landlord entitled to a monetary order to recover unpaid rent and the filing fee?

Background and Evidence

The tenancy started in March 15, 2011. The monthly rent was \$1,500.00 due in advance on the first of each month.

The landlord testified that the tenant failed to pay full rent for June 2013 and also failed to pay rent on July 01, 2013. On July 12, 2013, the landlord served the tenant with a ten day notice to end tenancy. The tenant did not dispute the notice and continued to occupy the rental unit without paying rent.

On August 21, 2013, the landlord found the rental unit vacant. The tenant had moved out without informing the landlord. At the time of the hearing the tenant owed the landlord \$250.00 for June, \$1,500.00 for July and \$1,500.00 for August for a total of \$3,250.00 in unpaid rent.

The landlord is applying for a monetary order for unpaid rent (\$3,250.00) and for the filing fee (\$50.00).

Analysis

Based on the undisputed sworn testimony of the landlord and in the absence of evidence to the contrary, I accept the landlord's testimony in respect of his claim. I find that the tenant owes rent for June, July and August 2013. The landlord has proven his case and is therefore also entitled to the recovery of the filing fee in the amount of \$50.00.

The landlord has established a total claim of \$3,300.00. I grant the landlord an order under section 67 of the *Residential Tenancy Act* for this amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order for **\$3,300.00**.

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 19, 2013

Residential Tenancy Branch

