



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, MNDC

Introduction

This hearing dealt with an application by the landlord for a monetary order. The landlord participated in the conference call hearing but the tenant(s) did not. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing by having a witness present when personally serving the tenant on July 26, 2013. I found that the tenants had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence. The landlords gave

Issues to be Decided

Is the landlord entitled to a monetary order for unpaid rent and loss of income?

Background and Evidence

The tenancy began on or about February 26, 2011 and ended when the tenants abandoned the suite on July 15, 2013. Rent in the amount of \$1500.00 is payable in advance on the first day of each month. The landlord did not collect a deposit at the outset of the tenancy. The landlord stated that the male tenant is a co-worker and good friend of his. The landlord stated that they still work together and remain friends. The landlord stated that due to this friendship the landlord allowed the tenant to make partial payments throughout the tenancy. The landlord stated the tenant had fallen behind in rent payments.

The landlord stated that the tenants were dealing with personal issues so he was compassionate and understanding of their situation. The landlord stated that the tenants owe well above the \$25000.00 maximum allowed under the jurisdiction of the Residential Tenancy Act but have chosen to seek \$24900.00 in rent and the \$100.00 filing fee to reach the maximum. The landlord stated that he was trying to work with the

tenant in terms of a payment plan but when the tenant abandoned the unit the landlord felt he had no further option than to seek dispute resolution.

Analysis

I accept the landlord's undisputed testimony. The landlord has provided documentation to support his claim.

As for the monetary order, I find that the landlord has established a claim for \$24900.00 in unpaid rent. The landlord is also entitled to recovery of the \$100.00 filing fee. I grant the landlord an order under section 67 for the balance due of \$25000.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted a monetary order for \$25000.00.

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: October 29, 2013

Residential Tenancy Branch

