



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR; MNDC; FF

Introduction

This is the Landlord's application for a Monetary Order for unpaid rent; compensation for damage or loss under the Act, regulation or tenancy agreement; and to recover the cost of the filing fee from the Tenants.

The Landlord gave affirmed testimony at the Hearing.

The Landlord testified that the Notice of Hearing documents were mailed to each of the Tenants, via registered mail. The Landlord provided the tracking numbers for the registered documents and the Canada Post tracking information print out.

Based on the Landlord's documentary evidence and affirmed testimony, I am satisfied that both of the Tenants were duly served with the Notice of Hearing documents by registered mail. Despite being served with the Notice of Hearing documents, the Tenants did not sign into the teleconference and the Hearing proceeded in their absence.

Issues to be Decided

- Is the Landlord entitled to a Monetary Order, and if so, in what amount?

Background and Evidence

The Landlord gave the following testimony:

On June 14, 2013, the Landlord was successful in obtaining a monetary order against the Tenants for unpaid rent in the amount of \$3,500.00 (the "Original Application"). The Landlord provided a copy of the decision and monetary order in evidence.

On the Original Application, there was an error made with respect to the address for the rental unit. The Landlord filed the Original Application with a government agent. The rental unit is situated in a very small community. The address of the town for mailing purposes is different from the address of the town in the fire district. The wrong town was named in the dispute address.

The Landlord was advised that she would have to file another Application for Dispute Resolution, naming the correct town in the dispute address.

Analysis

I accept the Landlord's undisputed testimony in its entirety. I am satisfied that there was an error made with respect to naming the town in the dispute address on the Original Application. No other facts are in question and I hereby provide the Landlord with a new Monetary Order against the Tenants in the amount of \$3,500.00, naming the correct town for the rental unit. This Monetary Order is for unpaid rent, pursuant to the findings in the Original Application.

The monetary order issued on the Original Application is therefore cancelled. The file number for the Original Application is found on the cover page of this Decision.

No details were provided with respect to the Landlord's claim for compensation under the Act, regulation or tenancy agreement and therefore I dismiss the Landlord's claim for compensation. I find that the error was the Landlord's and that the Landlord is not entitled to recover the filing fee.

Conclusion

I hereby grant the Landlord a Monetary Order in the amount of **\$3,500.00** for service upon the Tenants. This Order may be filed in the Provincial Court of British Columbia (Small Claims) and enforced as an Order of that Court.

The monetary order issued on the Other Application (file number provided on cover page) is hereby cancelled and of no force or effect.

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: November 18, 2013

Residential Tenancy Branch

