



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Unicam Developments Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute codes OP MNR FF

Introduction

This hearing dealt with an application by the landlord for an order of possession and a monetary order satisfaction of the claim. The hearing was conducted by conference call. The landlord called in and participated in the hearing. The tenant did not appear although he was served with the Application for Dispute Resolution and Notice of Hearing by registered mail sent on October 4, 2013. The landlord's representative testified at the hearing that the tenant moved out of the rental unit on October 31, 2013 and an order for possession is no longer required. The landlord's claim for an order for possession is therefore dismissed.

Issues

Is the landlord entitled to a monetary award and if so, in what amount?

Background and Evidence

This tenancy began on September 1, 2013. The rent is \$1,150.00 due in advance on the first day of each month. The tenant's cheque in payment of the security deposit was returned by the landlord's bank marked "NSF". The tenant's cheque in payment of September rent was also returned due to insufficient funds. The tenant gave the landlord a cheque for a pet deposit, but the landlord did not attempt to negotiate the cheque and returned it to the tenant. The landlord served the tenant with two Notices to End Tenancy for unpaid rent. The last Notice was personally served on the tenant on October 2, 2013. The tenant did not dispute the Notice to End Tenancy. He did not pay rent for September or for October and moved out on October 31, 2013.

Analysis and conclusion

Monetary Order - I find that the landlord has established a total monetary claim of \$2,300.00 for the outstanding rent for September and October. The landlord has claimed two NSF cheque charges of \$25.00 each and two late fees of \$25.00 each as provided by the tenancy agreement; I award these amounts to the landlord. The landlord is entitled to recover the \$50.00 filing fee for this application for a total award of \$2,450.00 and I grant the landlord an order under section 67 in the said amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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 13, 2013

Residential Tenancy Branch

