



# 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 for an order of possession and a monetary order for unpaid rent.

The landlord participated in the teleconference hearing, but the tenant did not call into the hearing. On November 4, 2013 the landlord served the tenant with the application for dispute resolution and notice of hearing by registered mail. Section 90 of the Act states that a document is deemed to have been served five days after mailing. I deemed the tenant served with notice of the hearing on November 9, 2013, and I proceeded with the hearing in the tenant's absence.

At the outset of the hearing the landlord stated that the tenant had vacated the rental unit as of December 3, 2013. Accordingly, I dismissed the portion of the landlord's application regarding an order of possession.

### Issue(s) to be Decided

Is the landlord entitled to a monetary order?

### Background and Evidence

The tenancy began three years ago. Rent in the amount of \$700 was payable in advance on the first day of each month. The tenant failed to pay rent in the month of October 2013 and on October 4, 2013 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The tenant further failed to pay rent for the months of November and December 2013, and the tenant then moved out on December 3, 2013.

Analysis

Based on the landlord's undisputed evidence, I find that he has established a claim for \$1400 in unpaid rent and lost revenue for October and November 2013, and a pro-rated amount of \$67.74 for the tenant's occupation of the rental unit for December 1 to 3, 2013. The landlord is also entitled to recovery of the \$50 filing fee.

Conclusion

I grant the landlord an order under section 67 for the balance due of \$1517.74. 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: January 13, 2014

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Residential Tenancy Branch

