



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNSD MNDC FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. At the outset of the hearing the landlord stated that the tenant had abandoned the rental unit; accordingly, I dismissed the portion of the landlord's application regarding an order of possession.

The landlord participated in the teleconference hearing, but the tenant did not call into the hearing. On November 5, 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 found that the tenant was deemed served with notice of the hearing on November 10, 2013, and I proceeded with the hearing in the absence of the tenant.

Issue(s) to be Decided

Is the landlord entitled to a monetary order?

Background and Evidence

The tenancy began approximately two years ago. Rent in the amount of \$622.50 was payable in advance on the first day of each month. The tenant was 20 cents short of rent for September 2013, and then he failed to pay rent in the month of October 2013. On October 22, 2013 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The tenant further failed to pay rent in the months of November and December 2013.

Analysis

Based on the landlord's undisputed evidence, I find that he has established a claim for \$1866.80 in unpaid rent and lost revenue. The landlord is also entitled to recovery of the \$50 filing fee for the cost of his application.

Conclusion

I grant the landlord an order under section 67 for the balance due of \$1916.80. 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 14, 2014

Residential Tenancy Branch

