



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 was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. An Order of Possession - Section 55;
2. A Monetary Order for unpaid rent - Section 67;
3. An Order to recover the filing fee for this application - Section 72.

I accept the landlord's evidence that despite the tenant having been personally served with the application for dispute resolution and notice of hearing in accordance with Section 89 of the Residential Tenancy Act (the Act) the tenant did not participate in the conference call hearing. The landlord was given full opportunity to be heard, to present evidence and to make submissions. The landlord advised the tenants vacated by November 30, 2014.

Issue(s) to be Decided

Is the notice to end tenancy valid?

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

The tenancy began on September 01, 2013 and has since ended. Rent in the amount of \$650.00 was payable in advance on the first day of each month. At the outset of the tenancy the landlord did not collect a security deposit. The tenant failed to pay rent in the month of November 2013 and on November 02, 2013 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The tenant did not pay all rent owing and subsequently paid all but \$250.00 before vacating. The quantum of the landlord's monetary claim is for the outstanding rent.

Analysis

Based on the landlord's testimony I find that the tenant was served with a notice to end

tenancy for non-payment of rent and I find the notice to be valid. The tenant has not paid all the outstanding rent and has not applied for Dispute Resolution to dispute the notice.

Based on the above facts I find that the landlord is entitled to a monetary claim for \$250.00 in unpaid rent. The landlord is also entitled to recovery of the \$50 filing fee, for a total entitlement of **\$300.00**.

Conclusion

I grant the landlord an Order under Section 67 of the Act for the amount of **\$300.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Decision is final and binding on both parties.

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: December 18, 2013

Residential Tenancy Branch

