



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MDSD & FF

A hearing was conducted by conference call in the presence of a representative of the applicant and in the absence of the respondent although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Notice to End Tenancy was sufficiently served on the Tenant by posting to the front door of the rental unit on October 15, 2013. Further I find that the Application for Dispute Resolution/Notice of Hearing was personally served on November 8, 2013. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the landlord is entitled to an Order for Possession?
- b. Whether the landlord is entitled to A Monetary Order and if so how much?
- c. Whether the landlord is entitled to retain all or a portion of the security deposit/pet deposit?
- d. Whether the landlord is entitled to recover the cost of the filing fee?

Background and Evidence

The landlord recently purchased the rental unit and was not aware of whether there was a written tenancy agreement or whether the tenant has paid a security deposit. The rent is \$400 per month payable in advance on the first day of each month.

The tenant(s) failed to pay the rent for the months of August (\$390 is owed), September (\$400 is owed), October (\$400 is owed) and November (\$200 is owed to November 16,

2013) and the sum of \$1590 remains owing. The tenant(s) vacated the rental unit on November 16, 2013.

Analysis - Order of Possession:

It is no longer necessary to consider the landlord's application for an Order for Possession as the tenant has vacated the rental unit.

Analysis - Monetary Order and Cost of Filing fee

I determined the tenant has failed to pay the rent for the month(s) of August (\$390 is owed), September (\$400 is owed), October (\$400 is owed) and November (\$200 is owed) and the sum of \$1390 remains owing. I granted the landlord a monetary order in the sum of \$1390 plus the sum of \$50 in respect of the filing fee for a total of \$1440.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial 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: December 18, 2013

Residential Tenancy Branch

