



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord for an order of possession and a monetary order. Although served with the Application for Dispute Resolution and Notice of Hearing by personal service the Tenant did not appear.

At the beginning of the hearing the landlord advised that the tenant had moved out of the rental unit on April 7 and an order of possession was not required.

Issue(s) to be Decided

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

Background and Evidence

This two year fixed term tenancy commenced February 5, 2014. The monthly rent of \$1400.00 was due on the first day of the month. The tenant was to pay a security deposit of \$700.00.

The parties agreed that the tenant would pay pro-rated rent for February in the amount of \$1200.00. The tenant gave the landlord a cheque in the amount of \$1900.00 for the February rent and the security deposit. The cheque was subsequently returned to the landlord by his financial institution with the advise that the tenant's account was closed. The tenant never made good the cheque and never paid any rent until he moved out of the rental unit on April 7, 2014.

The landlord also testified that he is showing the unit and attempting to re-rent it as soon as possible but because of the date when the tenant finally vacated the unit, it will probably not be re-rented until May 1, 2014.

Analysis

I find that the landlord has established a total monetary claim of \$4050.00 comprised of arrears of rent for February, March and April in the amount of \$4000.00 and the \$50.00 fee paid by the landlord for this application and I grant the Landlord an order under section 67 in that amount.

Conclusion

A monetary order in favour of the landlord in the amount of \$4050.00 has been granted. If necessary, it may be filed in the Provincial Court (Small Claims) 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: April 08, 2014

Residential Tenancy Branch

