



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes SS, MNR, 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. The landlord participated in the conference call hearing but the tenant(s) did not. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing by registered mail on January 28, 2014. I found that the tenants had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence. The landlords gave affirmed evidence.

Issues to be Decided

Is the landlord entitled to an order of possession?

Is the landlord entitled to a monetary order for unpaid rent and loss of income?

Background and Evidence

The tenancy began on or about January 1, 2006 and ended on January 30, 2012. Rent in the amount of \$650.00 is payable in advance on the first day of each month.

The landlords gave the following testimony:

The landlords stated that the tenant paid his rent in full for the first five months only. The landlords stated that the tenant had advised of some financial hardships and was only able to pay \$350.00 per month for the remainder of the tenancy. The landlords stated

that the tenant continually promised a large lump sum payment as soon as he received a payout in regards to some legal situation. The landlords were hopeful to avoid going through legal channels and that the tenant would pay in full by now. The landlords advised that as of today's hearing the amount of unpaid rent is \$19,250.00.

Analysis

I accept the landlord's undisputed testimony. The landlords provided documentary evidence to support their claim and written acknowledgement of the debt from the tenant.

As for the monetary order, I find that the landlord has established a claim for \$19,250.00 in unpaid rent. The landlord is also entitled to recovery of the \$100.00 filing fee. I grant the landlord an order under section 67 for the balance due of \$19,350.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted a monetary order for \$19,350.00.

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: May 12, 2014

Residential Tenancy Branch

