



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, OPR

Introduction

This is an application for an Order of Possession and a request for a Monetary Order for outstanding rent.

The respondent did not join the conference call that was set up for the hearing even though the respondent was well aware of today's hearing as it was the result of an application the respondent filed for review.

Since the respondent was well aware of today's hearing and did not appear, the hearing took place in the respondent's absence.

All testimony was taken under affirmation.

Issue(s) to be Decided

The respondent/tenant has already vacated the rental unit and returned possession to the landlord, and therefore the landlord stated he no longer requires an Order of Possession.

The issue dealt with today therefore is whether or not the landlord has established a claim for outstanding rent.

Background and Evidence

The applicant testified that:

- The tenant signed a fixed term tenancy agreement with the monthly rent of \$1700.00 and an expiry date of March 30, 2014.

- The tenant failed to pay any rent for the months of January 2014, February 2014, and March 2014.
- The tenant vacated the rental unit on March 28, 2014.
- He is therefore requesting a Monetary Order for the outstanding rent.

Analysis

The landlord has provided a copy of the tenancy agreement that establishes that the rent for this unit is \$1700.00 per month.

It's my finding that the landlord has also shown that the tenant failed to pay any rent for the months of January 2014, February 2014, and March 2014 and I therefore allow the landlords claim for that outstanding rent.

When the landlord initially filed his application on February 6, 2014 he had only applied for the outstanding January 2014 rent, however since the respondent is a well aware of the fact that rent has not been paid for the months of February 2014, and March 2014, even though the respondent remained in the rental unit until March 28, 2014, I will allow the request for the full outstanding amount.

Conclusion

I have issued an order for the respondent to pay \$5100.00 to the applicant
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 23, 2014

Residential Tenancy Branch

