



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, NR, MNDC, FF

Introduction

The landlords apply for an order of possession pursuant to a ten day Notice served at the end of February 2014 and for a monetary award of \$3000.00 unpaid rent for February, March and April 2014 and \$908.00 unpaid utilities.

The tenant did not dispute the ten day Notice nor pay the amount demanded in it. He does not dispute the amounts claimed by the landlords but says he paid \$256.00 at the end of February and another \$200.00 cash later. The landlords admit to the \$256.00 but not the \$200.00.

It is clear that the ten day Notice resulted in the tenancy ending on March 10, 2014 and the landlords are accordingly entitled to an order of possession.

The monetary claim is undisputed but for the \$200.00 cash payment alleged by the tenant. The onus of proof of payment of rent is on the tenant. In the circumstances before me, without a receipt or other corroboration I find the tenant has not proved this payment.

I grant the landlords a monetary award of \$3000.00 unpaid rent plus \$908.00 unpaid utilities, less the \$256.00 payment for a total of \$3652.00, plus the \$50.00 filing fee.

At hearing I declined to amend the landlords' application to include a claim for May rent. They are free to re-apply in that regard.

The landlords hold no deposits.

There will be a monetary order against the tenant in the total amount of \$3702.00.

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 01, 2014

Residential Tenancy Branch

