



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Wall Financial Corporation  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR, MNR, MNDC, FF

### Introduction

This is an application filed by the landlord for an order of possession and a monetary order for unpaid rent, for money owed or compensation for damage or loss and recovery of the filing fee.

The landlord's agent attended the hearing by conference call and gave undisputed testimony. The tenants did not attend or submit any documentary evidence. The landlord states that both tenants were served with the notice of hearing package on April 22, 2014 in person where each tenant signed in acknowledgement of receiving the landlord's package and documentary evidence. The landlord has submitted copies of the proof of service for each tenant as confirmation. I accept the undisputed testimony of the landlord and find that each party has been properly served.

At the outset of the hearing, the landlord's agent states that an order of possession is no longer required as the tenants have vacated the rental unit and were able to re-rent the unit for June.

### Issue(s) to be Decided

Is the landlord entitled to an order of possession?

Is the landlord entitled to a monetary order?

### Background and Evidence

This tenancy began on February 1, 2013 on a fixed term tenancy ending on July 31, 2013 and then thereafter on a month to month basis as shown by the submitted copy of the signed tenancy agreement. The monthly rent is \$735.00 payable on the 1<sup>st</sup> of each month and a security deposit of \$367.50 and a pet damage deposit of \$200.00 was paid.

The landlord states that the tenants were served with a 10 day notice to end tenancy issued for unpaid rent dated April 2, 2014 by posting it to the rental unit door on April 2, 2014. The notice states that the tenant failed to pay rent of \$755.00 that was due on April 1, 2014. The notice also displays an effective end of tenancy date of April 15, 2014.

The landlord seeks a monetary claim which consists of \$1,470.00 for unpaid rent for April (\$735.00) and May (\$735.00), \$40.00 in late rent fees for April (\$20.00) and May (\$20.00) and an outstanding \$60.00 dump fee charge. The landlord has submitted copies of tenant rent ledger, 10 day notice to end tenancy issued for unpaid rent and a copy of an invoice for junk removal.

### Analysis

I accept the undisputed evidence of the landlord and find that the tenants were properly served with the 10 day notice to end tenancy issued for unpaid rent dated April 2, 2014 by posting it to the rental unit door. The tenants failed to pay the rent owed or file an application for dispute resolution to dispute the notice. I find based upon the undisputed documentary evidence that the landlord has established a monetary claim for \$1,565.00. The landlord is also entitled to recovery of the \$50.00 filing fee. I grant the landlord a monetary order for \$1,615.00. 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 \$1,615.00.

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: June 10, 2014

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Residential Tenancy Branch

