



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PLAN A REAL ESTATE SERVICES
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: *OPR, CNR, MNR, MNDC, FF*

Introduction

This hearing dealt with applications by the landlord and the tenant, pursuant to the *Residential Tenancy Act*. The landlord applied for an order of possession and for a monetary order for unpaid rent, unpaid utilities and the filing fee. The tenant applied for an order to cancel the notice to end tenancy.

The landlord served the tenant with a notice of hearing on July 20, 2014, in person. Despite having been served the notice of hearing and having made application for dispute resolution, the tenant did not attend the hearing. Therefore the tenant's application is dismissed without leave to reapply. This hearing only dealt with the landlord's application. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

The landlord stated that the tenant had moved out on August 06, 2014. Since the tenancy has ended, the landlord's application for an order of possession is no longer necessary.

Issues to be decided

Is the landlord entitled to a monetary order for unpaid rent, utilities and the filing fee?

Background and Evidence

The tenancy started on March 01, 2014. The monthly rent was \$1,175.00 payable on the first of the month and did not include utilities. The tenant failed to pay rent for June 2014. On June 10, 2014, the landlord served the tenant with a notice to end tenancy for \$1,750.00 in unpaid rent. The tenant did not pay rent and continued to occupy the rental unit without paying rent. The tenant moved out without informing the landlord on August 06, 2014.

The landlord filed a statement of accounts that indicates that the tenant owed a total of \$3,679.86 in unpaid rent, late fees and utilities. The landlord has made application for \$3,605.79.

Analysis

Based on the undisputed sworn testimony of the landlord, I accept the landlord's evidence in respect of the claim. The tenant received the notice to end tenancy on June 10, 2014 and did not pay overdue rent within five days of receiving the notice. The tenant applied to dispute the notice but did not attend the hearing

In the absence of evidence to the contrary, I find that the landlord has established a claim of \$3,605.00 as per the landlord's application for dispute resolution. Since the landlord has proven his case, he is entitled to the recovery of the filing fee of \$50.00.

I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the amount of \$3,655.79. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order in the amount of **\$3,655.79**.

The tenant's application is dismissed in its entirety.

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: August 13, 2014

Residential Tenancy Branch

