



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR & FF

### Introduction

A hearing was conducted by conference call in the presence of a representative of the applicant and in the absence of the respondents although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Notice to End Tenancy was sufficiently served on the Tenants by posting on June 2, 2014. Further I find that the Application for Dispute Resolution/Notice of Hearing was personally served on the tenant JP on June 25, 2014 and sufficiently served on the Tenant BS by mailing, by registered mail to where the tenant resides on June 25, 2014. With respect to each of the applicant's claims I find as follows:

### Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the landlord is entitled to an Order for Possession?
- b. Whether the landlord is entitled to A Monetary Order and if so how much?
- c. Whether the landlord is entitled to recover the cost of the filing fee?

### Background and Evidence

The parties entered into a written tenancy agreement that provided that the tenancy would start on May 1, 2014.. The rent is \$735 per month payable in advance on the first day of each month. The tenants paid a security deposit of \$367.50 at the start of the tenancy.

The tenant(s) failed to pay the rent for the month June and the sum of \$367.50 plus a \$20 late fee for a total of \$387.50 remains owing. The tenant(s) vacated the rental unit at the end of June. The landlord re-rented the rental unit commencing July 1, 2014.

Analysis - Order of Possession:

It is no longer necessary to consider the landlord's application for an Order for Possession as the tenants have vacated the rental unit and the landlord has regained possession.

Analysis - Monetary Order and Cost of Filing fee

I determined the tenant has failed to pay the rent for the month(s) of June and the sum of \$367.50 plus a \$20 late fee for a total of \$387.50 remains owing. **I granted the landlord a monetary order in the sum of \$387.50 plus the sum of \$50 in respect of the filing fee for a total of \$437.50.**

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial Court and enforced as an Order of that Court.

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 25, 2014

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Residential Tenancy Branch

