



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *OPR, DRI, 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 and the filing fee. The tenant applied for an order to set aside the notice to end tenancy, cancel a rent increase, for the return of late fees and for an order directing the landlord to comply with the *Act*.

The landlord served the tenant with a notice of hearing on July 03, 2014, in person. Despite having been served with 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 02, 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?

Background and Evidence

The tenancy started in June 2011. The monthly rent was \$850.00 payable on the first of the month. The tenant failed to pay full rent for June. On June 03, 2014, the landlord served the tenant with a notice to end tenancy for \$680.00 in unpaid rent. The tenant did not pay rent and continued to occupy the rental unit without paying rent. Accordingly at the time of the hearing the tenant owed the landlord \$2,380.00 in outstanding rent.

Analysis

Based on the undisputed sworn testimony of the landlord, I accept his evidence in respect of the claim. The tenant received the notice to end tenancy on June 03, 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 \$2,380.00 for unpaid rent. 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 \$2,430.00. 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 **\$2,430.00**.

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 29, 2014

Residential Tenancy Branch

