



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CAPREIT  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes: OPR, MNR, MNDC, MNSD, FF

### Introduction

This hearing was scheduled in response to the landlord's application for an order of possession / a monetary order as compensation for unpaid rent / compensation for damage or loss under the Act, Regulation or tenancy agreement / retention of the security deposit / and recovery of the filing fee. The landlord's agent attended and gave affirmed testimony. As the tenant vacated the unit subsequent to the landlord's filing of the application, the landlord withdrew the application for an order of possession.

Despite service of the application for dispute resolution and notice of hearing (the "hearing package") by way of registered mail, the tenant did not appear. Evidence submitted by the landlord includes the Canada Post tracking number for the registered mail. The Canada Post website informs that the item was "unclaimed by recipient" and was later "successfully returned to the sender."

### Issue(s) to be Decided

Whether the landlord is entitled to the above under the Act, Regulation or tenancy agreement.

### Background and Evidence

Pursuant to a written tenancy agreement the fixed term of tenancy is from August 01, 2013 to July 31, 2014. Monthly rent of \$945.00 is due and payable in advance on the first day of each month, and a security deposit of \$472.50 was collected.

Arising from rent which was unpaid when due on June 01, 2014, the landlord issued a 10 day notice to end tenancy for unpaid rent dated June 05, 2014. The notice was served by way of being posted on the unit door on that same date. A copy of the notice was submitted in evidence. Thereafter, the tenant made no further payment toward rent, and vacated the unit by July 31, 2014 without providing a forwarding address.

### Analysis

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord's agent, I find that the tenant was served with a 10 day notice to end tenancy for unpaid rent dated June 05, 2014. The tenant did not pay the outstanding rent within 5 days of receiving the notice, and did not apply to dispute the notice. The tenant later vacated the unit by July 31, 2014 without providing a forwarding address.

As for compensation, I find that the landlord has established a claim of **\$1,990.00**:

\$945.00: *unpaid rent for June*

\$25.00: *fee assessed for late payment of rent*

\$945.00: *unpaid rent for July*

\$25.00: *fee assessed for late payment of rent*

\$50.00: *filing fee*

I order that the landlord retain the security deposit of **\$472.50**, and I grant the landlord a **monetary order** for the balance owed of **\$1,517.50** (\$1,990.00 - \$472.50).

### Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlord in the amount of **\$1,517.50**. This order may be served on the tenant, filed in the Small Claims 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

