



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, O, MT, DRI, CNR, LRE, LAT, RR, FF

### Introduction

There are applications filed by both parties. The landlord seeks an order of possession and a monetary order for unpaid rent. The tenant has made an application for more time to make an application to cancel a notice to end tenancy and if allowed to cancel a notice to end tenancy issued for unpaid rent. The tenant also seeks to dispute an additional rent increase, seeks an order to suspend or set conditions on the landlord's right to enter the rental unit, to authorize the tenant to change the locks to the rental unit, to allow the tenant to reduce rent for repairs, services or facilities agreed upon but not provided and recovery of the filing fee.

The landlord attended the hearing by conference call and gave undisputed testimony. The tenant did not attend or submit any documentary evidence. The landlord states that they have received the tenant's notice of hearing package and are aware of the tenant's application. The landlord states that the tenant was served with the landlord's notice of hearing package by Canada Post Registered Mail on July 24, 2014 and has provided a copy of the Customer Receipt Tracking number as confirmation.

At 24 minutes past the start of the hearing time, the tenant's application was dismissed without leave to reapply as the tenant has failed to attend and participate in the dispute hearing. The hearing proceeded on the landlord's application.

### 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

The landlord states that there is a signed tenancy agreement, but did not submit a copy. The landlord states that the tenant was served with a 10 day notice to end tenancy issued for unpaid rent dated July 10, 2014. The notice states that the tenant failed to pay rent of \$1,100.00 that was due on July 1, 2014. The notice displays an effective end of tenancy date of July 20, 2014. The landlord states that the tenant was served

with the notice by Canada Post Registered Mail and by posting it to the rental unit door on July 10, 2014 and has submitted a copy of the Customer Receipt Tracking number as confirmation.

The landlord states that the upstairs tenants noticed that the tenant had vacated the rental unit and that a third party male now occupies the rental unit. The landlord states that they are unsure if the tenant has vacated the rental unit.

The applicant failed to specify an amount for the monetary claim in his application. The landlord seeks an order of possession and a monetary order for unpaid rent.

### Analysis

I accept the undisputed evidence of the landlord and find that a claim has been established for unpaid rent for the month of July 2014. The landlord is granted an order of possession. The tenant must be served with the order. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

However, as the landlord has failed to specify the amount being claimed and has failed to provide sufficient evidence to determine what if any rent is currently owed, I decline to make any orders concerning unpaid rent. This portion of the claim is dismissed with leave to reapply. Leave to reapply is not an extension of time for any applicable limitation period.

### Conclusion

The landlord is granted an order of possession.  
The monetary claim is dismissed with leave to reapply.

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: September 19, 2014

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Residential Tenancy Branch

