



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, MNR, CNR, MT

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. The tenant applied for an order to cancel the notice to end tenancy.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

The tenant moved out at the end of August 2014 and therefore the landlord's application for an order of possession and the tenant's application to cancel the notice to end tenancy were moot. Therefore, this hearing only dealt with the landlord's monetary claim for unpaid rent.

Issues to be decided

Is the landlord entitled to a monetary order to recover unpaid rent?

Background and Evidence

The tenancy started in February 2014 and ended in the last week of August 2014, pursuant to a notice to end tenancy for non payment of rent. The monthly rent was \$800.00 due in advance on the first of each month. The tenant agreed that she owed the landlord \$2,400.00 in unpaid rent. The landlord agreed to withdraw his claim for loss of income and the balance of his monetary claim for unpaid rent.

The tenant also agreed to pay the landlord at least \$100.00 per month until her debt of \$2,400 for unpaid rent is all paid off.

Analysis

Based on the sworn testimony of the both parties, I accept the landlord's evidence in respect of the claim. The tenant agreed that she owes the landlord \$2,400.00 for unpaid rent and therefore I find that the landlord is entitled to this amount

I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the amount of 2,400.00. 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 for **\$2,400.00**.

The tenant will make monthly payments of at least \$100.00 to the landlord until this debt of \$2,400.00 is paid off.

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 24, 2014

Residential Tenancy Branch

