



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, MNR, MNDC, FF

Introduction

This hearing concerns 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 / and recovery of the filing fee. The landlord attended and gave affirmed testimony. The landlord testified that she personally served the tenant with her application for dispute resolution and the notice of hearing on October 23, 2014. Despite this, the tenant did not appear at the hearing.

Issue(s) to be Decided

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

Background and Evidence

The unit which is the subject of this dispute is 1 of what are 5 separate rooms rented within a house. Tenants share kitchen and bathroom facilities.

There is no written tenancy agreement in evidence for this tenancy which began in August 2014. Monthly rent of \$500.00 is due and payable in advance on the first day of each month. No security deposit or pet damage deposit was collected.

Arising from rent which was unpaid when due on October 01, 2014, the landlord issued a 10 day notice to end tenancy for unpaid rent dated October 13, 2014. The notice was personally served on that same date. A copy of the notice was submitted in evidence. The date shown on the notice by when the tenant must vacate the unit is October 23, 2014. Subsequently, the tenant made no further payment toward rent and he vacated the unit sometime toward the end of October without providing a forwarding address.

Analysis

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord, I find that the tenant was served with a 10 day notice to end tenancy for unpaid

rent dated October 13, 2014. The tenant did not pay the outstanding rent within 5 days of receiving the notice, and did not apply to dispute the notice. Subsequently, the tenant vacated the unit in late October 2014. Accordingly, I consider the landlord's application for an order of possession to be withdrawn.

As for compensation, I find that the landlord has established a claim of **\$560.00**:

\$10.00: *unpaid rent for September*
\$500.00: *unpaid rent for October*
\$50.00: *filing fee*

Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlord in the amount of **\$560.00**. 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: December 02, 2014

Residential Tenancy Branch

