



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding BC HOUSING MANAGEMENT COMMISSION  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes: MNR OPR FF

### **Introduction:**

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for orders as follows:

- a) A monetary order pursuant to Section 67;
- b) An Order of Possession pursuant to Sections 46, and 55; and
- d) An order to recover the filing fee pursuant to Section 72.

### **SERVICE:**

The tenant did not attend. The landlord gave sworn testimony that the Notice to end Tenancy dated October 8, 2014 was served by mail and the Application for Dispute Resolution by registered mail. It was verified online as successfully delivered. I find that the tenant was properly served with the documents according to sections 88 and 89 of the Act.

### **Issue(s) to be Decided:**

The tenant was issued a Notice to End Tenancy dated October 8, 2014 for unpaid rent. Is the landlord now entitled to an Order of Possession and to a Monetary Order for rental arrears and filing fee?

### **Background and Evidence:**

The tenant did not attend although served with the Application/Notice of Hearing. The landlord was given opportunity to be heard, to present evidence and to make submissions. The landlord testified that tenancy commenced on May 28, 2012, rent as subsidized is \$448 and no security deposit was paid. The landlord testified that the tenant is in rent arrears of \$1792 as of October 21, 2014 when the tenant vacated. She accounted for the arrears as follows: \$448 was owed for each month from July to October 2014 (4x\$448). In addition, the tenant owes utilities, \$88.77 for hydro and \$73.11 for gas. The landlord requests a monetary order for \$1953.88. An Order of Possession is no longer required.

In evidence is the Notice to End Tenancy, the lease agreement, proof of service and utility invoices.

On the basis of the solemnly sworn evidence presented at the hearing, a decision has been reached.

**Analysis**

An Order of Possession is no longer required as the tenant vacated.

**Monetary Order**

I find that there are rental arrears in the amount of \$1792 and utility arrears in the amount of \$161.88. I find the landlord entitled to a monetary order for \$1953.88 plus the filing fee of \$50.

**Conclusion:**

I find the landlord is entitled to a monetary order as calculated below. I find the landlord is entitled to recover filing fees paid for this application.

**Calculation of Monetary Award:**

Rent arrears to October 31, 2014	1792.00
Utility arrears	161.88
Filing fee	50.00
Total Monetary Order to Landlord	2003.88

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

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Residential Tenancy Branch

