



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for an order of possession and a monetary order for unpaid rent and for the recovery of the filing fee. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Since the tenant moved out on January 07, 2015, the landlord withdrew his application for an order of possession. Therefore, this hearing only dealt with the landlord's monetary claim.

Issues to be decided

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

Background and Evidence

The landlord served the tenant with a notice to end tenancy for landlord's use of property and pursuant to s. 51 of the *Residential Tenancy Act* the tenant lived rent free for the month of October 2014. The effective date of the notice was November 01, 2014 but the tenant failed to move out by this date. The tenant continued to occupy the rental unit until January 07, 2015 without paying rent.

The tenant agreed that he owed the landlord rent for the months of November and December 2014. The landlord agreed to waive the rent for the days in January 2015 that the tenant was in occupation of the rental unit. Both parties agreed that the tenant owed \$1,670.00 in unpaid rent.

Analysis

The tenant agreed that she owed the landlord a total of \$1,670.00.00 in unpaid rent. Since the landlord has proven his case, I award him the recovery of the filing fee of \$50.00.

Over all, the landlord has established a claim for a total of \$1,720.00 I grant the landlord an order under section 67 of the *Residential Tenancy Act* for this amount. 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 **\$1,720.00**.

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: January 07, 2015

Residential Tenancy Branch

