



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Scotthill Enterprises
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This was a hearing with respect to the landlord's application for an order for possession and a monetary order for unpaid rent. The hearing was conducted by conference call. The landlord's representative called in and participated in the hearing. The tenants did not attend, although they were served with the application and Notice of Hearing by registered mail sent on January 5, 2015. The tenants moved out of the rental unit on January 14, 2015 and an order for possession is no longer required. The landlord's application for an order for possession is therefore dismissed without leave to reapply.

Issue(s) to be Decided

Is the landlord entitled to a monetary award for unpaid rent and if so, in what amount?

Background and Evidence

The rental unit is a residence located above commercial premises in Surrey. The tenancy began in September. There is no written tenancy agreement. The monthly rent was \$1,000.00 per month. The tenants paid a \$500.00 security deposit at the start of the tenancy.

The tenants failed to pay rent for December and on December 2, 2014 the landlord personally served the tenants with a 10 day Notice to End Tenancy for unpaid rent. The tenants did not apply to dispute the Notice to End Tenancy. The tenants did not pay rent for December or for January and moved out on January 14, 2014. The landlord has not succeeded in re-renting the unit as of the date of the hearing.

Analysis

I accept the landlord's testimony that the tenants failed to pay rent in the amount \$1,00.00 in December and \$1,000.00 in January. I find that the landlord is entitled to a monetary award for unpaid rent in the amount \$2,000.00 as claimed.

Conclusion

I have granted the landlord an award in the amount of \$2,000.00. the landlord is entitled to recover the \$50.00 filing fee for its application for a total award of \$2,050.00. I order that the landlord retain the security deposit of \$500.00 in partial satisfaction of this award and I grant the landlord an order under section 67 for the balance of \$1,550.00. This order may be registered 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: January 27, 2015

Residential Tenancy Branch

