



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, MNR, FF

Introduction

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. An Order of Possession - Section 55;
2. A Monetary Order for unpaid rent - Section 67;
3. An Order to recover the filing fee for this application - Section 72.

I accept the landlord's testimony that despite the tenant having been served with the application for dispute resolution and notice of hearing by *registered mail* in accordance with Section 89 of the Residential Tenancy Act (the Act) the tenant did not participate in the conference call hearing. The landlord was given opportunity to be heard, to present evidence and to make submissions.

The landlord testified that, by all indications, the tenant vacated on or before December 31, 2014 within the latter half of December 2014. As a result, an order of possession is not required. The landlord's claim advanced on the merits of their monetary claim.

Issue(s) to be Decided

Is the notice to end tenancy valid?

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

The tenancy began June 01, 2014 and has since ended. Rent in the amount of \$950.00 was payable in advance on the first day of each month. The tenant failed to pay rent in the months of September through to December 2014 and on December 08, 2014 the landlord served the tenant with a notice to end tenancy for non-payment of rent by registered mail to the tenant's Postal Box address in Vanderhoof – which address was provided by the tenant. The landlord provided proof of registered mail service.

Analysis

Based on the testimony and document evidence before me I find that the tenant was

served with a notice to end tenancy for non-payment of rent and I find the notice to be valid. The tenant has not paid the outstanding rent and has not applied for Dispute Resolution to dispute the notice and has vacated the rental unit.

I find that the landlord has established a monetary claim for unpaid rent. The landlord is also entitled to recovery of the \$50 filing fee.

Calculation for Monetary Order

Rental Arrears – September – December 2014	\$3800.00
Filing fee	50.00
<i>blank</i>	<i>blank</i>
Total monetary award to landlord	\$3850.00

Conclusion

I grant the landlord an Order under Section 67 of the Act for the sum of **\$3800.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Decision is final and binding on both parties.

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 20, 2015

Residential Tenancy Branch

