



# 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, FF

### Introduction

This hearing dealt with a landlord's application for a Monetary Order for unpaid rent and recovery of the filing fee. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

### Issue(s) to be Decided

Is the landlord entitled to recovery unpaid rent from the tenant?

### Background and Evidence

The tenancy commenced December 1, 2012 for the monthly rent of \$685.00, which was eligible for rent subsidy, was payable on the 1<sup>st</sup> day of every month. After applying a rent subsidy, the tenant was obligated to pay the landlord rent of \$595.00 per month. A security deposit was not collected.

On February 1, 2013 the tenant gave the landlord "30 days written notice" to terminate the tenancy. The tenant did not pay rent for February 2013. The landlord issued a 10 Day Notice to End Tenancy for Unpaid Rent on February 8, 2013 indicating the tenant failed to pay the rent for February 2013 in the amount of \$595.00. The landlord also included copies of correspondence indicating the landlord attempted to collect the unpaid rent from the tenant prior to filing this Application.

The tenant was in agreement that she owed the landlord rent in the amount claimed and did not object to the landlord's request for a Monetary Order for the sum of unpaid rent and the filing fee.

### Analysis

Under the Act, a tenant is required to pay rent pursuant to the terms of their tenancy agreement until such time the tenancy legally ends. Where a tenant wishes to end the tenancy, the tenant must do so in a manner that complies with the Act. Where rent is payable on the 1<sup>st</sup> day of the month, a tenant's notice to end tenancy dated February 1, 2013 would be effective March 31, 2013 in order to comply with the Act. The parties were also in agreement that the tenancy was still in effect in February 2013 and the tenant owed rent for the month of February 2013. Therefore, I grant the landlord's request to recover the unpaid rent for February 2013 and I award the landlord recovery of the filing fee paid for this Application.

Provided to the landlord with this decision is a Monetary order in the total sum of \$645.00 to serve and enforce as necessary.

### Conclusion

The landlord has been provided a Monetary Order in the sum of \$645.00 to serve and enforce.

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: February 25, 2015

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Residential Tenancy Branch

