



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding KING GEORGE ENT LTD
and [tenant name suppressed to protect privacy]

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.

The landlord advised that this dispute is in respect to the rental of a mobile home and the respective pad under one tenancy agreement.

I accept the landlord's evidence that despite the tenant having been personally served with the application for dispute resolution and notice of hearing on April 02, 2015, in accordance with Section 89 of the Residential Tenancy Act (the Act), the tenant did not participate in the conference call hearing.

At the outset of the hearing the landlord further advised that the tenant had vacated on May 02, 2015, and the mobile home has subsequently been demolished. An Order of Possession is not required. The landlord solely seeks unpaid rent.

Issue(s) to be Decided

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

The tenancy began on August 01, 2013. Rent in the amount of \$725.00 was payable in advance on the first day of each month. The landlord did not collect a security deposit. The undisputed testimony is that the tenant failed to pay rent in the months of December 2014 and January to April 2015. The landlord claims they did not issue a Notice to End for unpaid rent during this period.

Analysis

Under Section 26 of the Act the landlord is entitled to rent when it is due. Based on the landlord's testimony I find the tenant has not paid the outstanding rent claimed.

I find 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 December 2014	725.00
Rental Arrears January – April 2015	2900.00
Filing Fee	50.00
Total Monetary Award to landlord	3675.00

Conclusion

I grant the landlord an Order under Section 67 of the Act for the amount of **\$3675.00**. 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: May 12, 2015

Residential Tenancy Branch

