



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNDC, FF

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for a monetary order for the costs of enforcing a monetary order granted to the landlord, by an Arbitrator in a decision dated September 09, 2013 and for the recovery of the filing fee.

The landlord testified that he served the tenant with the notice of hearing on January 09, 2015, by registered mail. The landlord filed a copy of the tracking slip. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to a monetary order for the costs of enforcing a monetary order and for the filing fee?

Background and Evidence

The landlord testified that the tenancy started in March 2011 and ended in August 2012. The monthly rent was \$900.00 payable on the first of each month.

The landlord stated that he was granted a monetary order at a previous dispute in September 2013 and started the process of enforcing the monetary order in March 2014. The landlord was successful in obtaining a judgement on April 16, 2015 and filed a copy of the decision by the Small Claims Court of BC.

The landlord has applied to recover the costs of filing his application in the Small Claims Court and for the cost of using the services of a bailiff in his attempts to enforce the monetary order. The landlord has also applied for the cost of registered mail. The landlord has filed copies of receipts of all payments made by him.

Analysis

The legislation does not permit me to award any litigation related costs other than the filing fee. Accordingly I dismiss the landlord's claim for the recovery of the cost of registered mail.

The remainder of the landlord's claim is for \$673.50. This is comprised of costs arising from court filing fees and enforcement of the monetary order. The landlord has filed documentary proof to support his claim and accordingly I find that the landlord is entitled to this claim.

Since the landlord has proven his case, he is entitled to the recovery of the filing fee of \$50.00.

I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the amount of \$723.50. 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 of **\$723.50**.

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: June 02, 2015

Residential Tenancy Branch

