



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR, MNDC, FF

Introduction

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlord applied for an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent, a monetary Order for money owed or compensation for damage or loss, and to recover the fee for filing this Application for Dispute Resolution.

At the hearing the Landlord stated that the rental unit was vacated on May 30, 2014; that the keys for the unit have been returned; and that he is withdrawing all claims except the claim for unpaid rent for May of 2015 and to recover the fee for filing this Application for Dispute Resolution.

The Landlord stated that on May 23, 2015 he personally served each Tenant with the Application for Dispute Resolution, the Notice of Hearing and documents the Landlord submitted to the Residential Tenancy Branch on May 22, 2015. In the absence of evidence to the contrary, I find that these documents have been served in accordance with section 89 of the *Residential Tenancy Act (Act)*; however the Tenants did not appear at the hearing.

Issue(s) to be Decided

Is the Landlord entitled to a monetary Order for unpaid rent?

Background and Evidence

The Landlord stated that:

- this tenancy began approximately one year ago;
- the Tenants agreed to pay monthly rent of \$575.00 by the first day of each month;
- the Tenants did not pay any rent for May of 2015;
- on May 04, 2015 he personally served the male Tenant with a Ten Day Notice to End Tenancy for Unpaid Rent, which had a declared effective date of May 18, 2015; and

- the rental unit was vacated on May 31, 2015.

Analysis

On the basis of the undisputed evidence, I find that the Tenants entered into a tenancy agreement with the Landlord that required the Tenants to pay monthly rent of \$575.00 by the first day of each month and that the Tenants did not pay the rent for May of 2015. Section 26(1) of the *Act* requires tenants to pay rent to their landlord when it is due and I therefore find that the Tenants owe the Landlord \$575.00 in rent for May of 2015.

I find that the Landlord's application has merit and that the Landlord is entitled to recover the cost of filing this Application for Dispute Resolution.

Conclusion

The Landlord has established a monetary claim, in the amount of \$625.00, which is comprised of \$575.00 in unpaid rent and \$50.00 in compensation for the filing fee paid by the Landlord for this Application for Dispute Resolution.

Based on these determinations I grant the Landlord a monetary Order for \$625.00. In the event that the Tenant does not comply with this Order, it may be served on the Tenant, filed with the Province of British Columbia 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: July 08, 2015

Residential Tenancy Branch

