



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, FF

Introduction

This hearing convened as a result of a Landlords' Application for Dispute Resolution wherein they sought a Monetary Order for unpaid rent as well as to recover the filing fee.

Only the Landlords appeared at the hearing. They gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions to me.

The Landlord, J.M., testified that she personally served the Tenant with the Notice of Hearing and their Application on March 29, 2015; accordingly, I find the Tenant was duly served as of March 29, 2015.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Issue to be Decided

Are the Landlords entitled to monetary compensation from the Tenant for unpaid rent and to recovery of the filing fee?

Background and Evidence

J.M. testified that the tenancy began on October 15, 2014. Monthly rent was payable in the amount of \$1,400.00.

By decision dated March 23, 2015, the Landlord obtained an Order of Possession and a Monetary Order for unpaid rent for February 2015. J.M. testified that the Tenant was

served with the Order of Possession but did not vacate the rental unit until April 15, 2015. The Landlord confirmed that the Tenant did not pay rent for March or April 2015 and that accordingly they were seeking a monetary order for \$2,800.00 in unpaid rent and the \$50.00 filing fee.

Analysis

Based on the documentary evidence, the undisputed testimony of the Landlords, and on the balance of probabilities, I find the following.

Pursuant to section 26 of the *Act*, a Tenant must pay rent when it is due in accordance with the tenancy agreement. Based on the above, I find the Tenant breached section 26 of the *Act* by failing to pay \$2,800.00 in rent for March and April 2015 as claimed by the Landlords. As the Landlords' application had merit, I also grant the Landlords the recovery of the \$50.00 filing fee.

The Landlords are granted a monetary order in the amount of **\$2,850.00**. This order must be served on the Tenant and may be filed and enforced as an order of the B.C. Provincial Court (Small Claims Division).

Conclusion

The Landlords are entitled to a monetary order in the amount of \$2,850.00 including rent for March 2015 in the amount of \$1,400.00, rent for April 2015 in the amount of \$1,400.00 and recovery of the \$50.00 filing fee.

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: September 03, 2015

Residential Tenancy Branch

