



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF MNR MNSD OPC

### **Introduction**

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for orders as follows:

1. A monetary order for unpaid rent pursuant to section 67.
2. To recover the filing fee from the tenant for the cost of this application pursuant to section 72.

The tenant did not attend the hearing despite being served with the Application for Dispute Resolution and Notice of Hearing. The landlord testified that the hearing package was sent to the tenant by registered mail on September 11, 2015 and was successfully delivered to the tenant on Wednesday September 16, 2015 at 3:50 p.m. The landlord provided the Canada Post Tracking number for the registered mail delivery: RN108538884.

### **Issues to be Decided**

Is the landlord entitled to the requested orders?

### **Background and Evidence**

This tenancy began approximately 5 years ago. The rent is \$650.00 due in advance on the first day of each month. The tenancy came to an end pursuant to an order of possession made on September 16, 2015. The tenant did not vacate the rental unit in accordance with the order of possession so the landlord proceeded with removal with the assistance of a bailiff. According to the landlord the bailiff was attending to the removal of the tenant today.

The landlord testified that the tenant has not paid any rent since July. As a result, the landlord is claiming \$3,250.00 (5x\$650.00) in unpaid rent.

### Analysis

#### Monetary Order for Rental Arrears

The tenant was required to pay the rent in advance on the first day of each month. The tenant did not pay any rent for the months of July, August, September, October or November. Accordingly, I find that the landlord is entitled to receive an order for unpaid rent in the amount of \$3,250.00.

#### Filing Fee

As the landlord was successful in this application, I find that the landlord is entitled to recover the \$50.00 filing fee paid for this application.

### Conclusion

I find that the landlord has established a total monetary claim of \$3,250.00 for the outstanding rent for July through November. The landlord is entitled to recover the \$50.00 filing fee for this application for a total award of \$3,300.00. This order may be filed in the 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: November 04, 2015

---

Residential Tenancy Branch

