



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNR, FF

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for a monetary order for unpaid rent and for the recovery of the filing fee.

The landlord testified that she served the tenant with the notice of hearing and evidence package by registered mail on June 02, 2015 to the dispute rental unit address. The tenant was still in occupation of the rental unit at the time she was deemed to have been served (June 07, 2015). The landlord provided a tracking number. 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.

The landlord had made prior application for an order of possession and the matter was heard on May 21, 2015. The landlord was successful and was granted an order of possession. The tenant moved out on June 19, 2015.

Issues to be decided

Is the landlord entitled to a monetary order for rent and for the recovery of the filing fee?

Background and Evidence

The landlord testified that the tenancy started on February 01, 2014. The monthly rent at the time the tenancy ended was \$2,500.00 payable on the first of each month.

The landlord testified that the tenant failed to pay rent for May 2015 and moved out on June 19, 2015 without paying rent for June. The landlord is claiming the rent for the period of May 01 – June 19, 2015 in the amount of \$4,083.33.

Analysis

Based on the undisputed testimony and documentary evidence of the landlord, I find that the tenant did not pay rent that was due on May 01, 2015 and June 01, 2015. This caused the landlord to suffer a loss in the amount of \$2,500.00 for May 2015 and \$1,583.33 for June 2015 for a total amount of **\$4,083.33**. I find that the landlord is entitled to recover the loss she suffered.

Since the landlord has proven her case she is also 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 due of **\$4,133.33**. 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 **\$4,133.33**.

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 03, 2015

Residential Tenancy Branch

