



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, MNSD, FF

### Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order permitting retention of the security agreement in partial satisfaction of the claim. Although served with the Application for Dispute Resolution and Notice of Hearing by personal service on October 14, 2015, the tenant did not appear.

At the beginning of the hearing the landlord confirmed that he had received an order of possession, a monetary order for the September 2015 rent, and an order permitting retention of the security deposit in partial satisfaction of the monetary order in a previous decision, the file number of which is noted on the front page of this Decision.

### Issue(s) to be Decided

Is the landlord entitled to a monetary order and, if so, in what amount?

### Background and Evidence

The monthly rent is \$1150.00 and is due on the first day of the month.

This tenancy was ended by an order of possession effective two days after service granted on September 28, 2015. Although served with the order of possession the tenant did not move out of the rental unit until on or about November 10, 2015. The tenant did not pay any rent for October or November. The landlord has a new tenant effective January 1, 2016.

### Analysis

The tenant is responsible for the rent for the months in which he occupied the unit, October and November. As the tenant moved out of the unit without giving a month's notice to the landlord he is also responsible for the December rent. Accordingly, I find that the landlord has established a total monetary claim of \$3500.00 comprised of arrears of rent for October, November and December in the amount of \$3450.00 and

the \$50.00 fee paid by the landlord for this application. Pursuant to section 67 I grant the landlord a monetary order I this amount.

Conclusion

A monetary order has been granted to the landlord. If necessary, 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: December 09, 2015

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Residential Tenancy Branch

