



Dispute Resolution Services

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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 notice of hearing was served on the tenant on June 26, 2015 in person. Despite having been served with 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.

At the start of the hearing the landlord informed me that the parties had attended a hearing on June 19, 2015 to resolve a dispute between them. Both parties had made application and had attended that hearing. The landlord referred to the decision dated June 19, 2015 during her testimony.

Issues to be decided

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

Background and Evidence

The tenancy began in September 2012 and ended sometime in the middle of July. The monthly rent was \$1,450.00 payable on the first of each month. The landlord stated that a portion of the rent in the amount of \$325.00 was paid directly to her from Social Services and the tenant covered the balance of \$1,125.00.

The landlord testified she was granted an order of possession dated June 19, 2015 which would be effective two days after service on the tenant. The landlord served the tenant with the order of possession shortly after she received it and testified that she visited the unit on July 07, 2015 and noticed that the tenant's car was parked outside and that the tenant was in the process of packing her belongings.

The landlord stated that when she returned on July 15, 2015, the car was gone and the rental unit was devoid of the tenant's belongings. The landlord stated that the tenant had left the unit dirty and messy with unwanted items strewn throughout the unit.

The landlord testified that she was awarded rent up to May 2015 at the prior hearing with leave to apply for rent for June in the event that the tenant did not pay. The landlord testified that she received rent in the amount of \$325.00 from Social Services for the month of June but the tenant did not pay the balance of rent owed. The landlord is claiming the balance of \$1125.00. .

Analysis

Based on the landlord's testimony and in the absence of any contradictory evidence from the tenant, I find that the landlord has established a claim for \$1,125.00 for unpaid rent for the month of June 2015. Since the landlord has proven her case, she is also entitled to the recovery of the filing fee of \$50.00.

Overall the landlord has established a claim of \$1,175.00. I grant the landlord an order under section 67 of the *Residential Tenancy Act* for this amount. 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 in the amount of **\$1,175.00**.

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 04, 2015

Residential Tenancy Branch

