



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION – REVIEW HEARING

Dispute Codes MNR MNDC

Introduction

This review hearing first convened on November 12, 2015. On that date, the landlord and the tenant disputed whether the landlord had served the tenant with the full hearing package, including an amended monetary claim. I therefore determined it was appropriate to adjourn the hearing.

The landlord attended the reconvened hearing on January 19, 2016, but the tenant did not. The Notice of Reconvened Hearing was sent to the address that the tenant provided in the hearing on November 12, 2015. I was therefore satisfied that the tenant was served with notice of the reconvened hearing time and date, and I proceeded with the hearing in the absence of the tenant.

I accepted the landlord's evidence regarding service of his amended monetary claim, and I allowed the amendment.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on June 15, 2015 as a fixed-term tenancy to end on June 14, 2016. Rent in the amount of \$1,400.00 was payable in advance on the 15th day of each month. The landlord stated that the tenant did not pay any rent from the beginning of the tenancy until she vacated on or about November 15, 2015. The landlord stated that the tenant therefore owes rent for five months, at \$7,000.00, less \$50.00 that the landlord had agreed to deduct from rent to replace a second-hand stove. The landlord presented evidence to show that the tenant owed \$93.30 for gas and \$232.12 for electricity. The landlord also claimed \$220.00 that he stated he lent to the tenant.

Analysis

I accept the landlord's undisputed evidence and I find that he is entitled to his claim, with the exception of the amount claimed for the personal loan. I do not have jurisdiction over a monetary debt the tenant incurred outside of the tenancy.

Conclusion

I grant the landlord an order under section 67 for the balance due of \$7,275.42. 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: February 10, 2016

Residential Tenancy Branch

