



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. An Order of Possession - Section 55;
2. A Monetary Order for unpaid rent - Section 67;
3. An Order to recover the filing fee for this application - Section 72.

I accept the landlord's evidence that despite the tenant having been served with the application for dispute resolution and notice of hearing by *registered mail* in accordance with Section 89 of the Residential Tenancy Act (the Act) the tenant did not participate in the conference call hearing. I am further satisfied the tenant was sent all evidence submitted to this hearing by registered mail.

At the outset the landlord orally amended their application solely seeking monetary relief for unpaid rent. As the request does not prejudice the tenant the amendment was allowed. The landlord was given full opportunity to be heard, to present evidence and to make submissions in respect to the monetary claim.

Issue(s) to be Decided

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

Rent in the amount of \$199.00 is payable in advance on the first day of each month. The tenant failed to pay rent in the months of December 2015 and January 2016 and on January 12, 2016 the landlord served the tenant with a notice to end tenancy for non-payment of rent stating the tenant owed rent for December and January in the sum of \$398.00. The tenant further failed to pay rent in the months of February and March 2016. The quantum of the landlord's monetary claim for rent arrears is \$796.00.

Analysis

Based on the landlord's evidence I find that the tenant was served with a notice to end tenancy for non-payment of rent and I find the notice to be valid. The tenant has not paid the outstanding rent since receiving the Notice to End.

I find that the landlord has established a monetary claim for unpaid rent for the period of December 2015 to March 2016 in the sum of \$796.00. The landlord is also entitled to recovery of the filing fee of \$100.00, for a total entitlement of **\$896.00**.

Conclusion

I grant the landlord an Order under Section 67 of the Act for the amount of **\$896.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Decision is final and binding on both parties.

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: April 05, 2016

Residential Tenancy Branch