



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, MNR, FF

Introduction / Background / Evidence

This hearing was scheduled in response to the landlord's application for an order of possession / a monetary order as compensation for unpaid rent / and recovery of the filing fee. The landlord attended and gave very limited affirmed testimony. It was apparent that the landlord relied heavily on input from his wife who was present with him at the hearing but did not give direct testimony. Neither tenant appeared, although the landlord testified that the application for dispute resolution and the notice of hearing were served by registered mail.

Further to the application itself, which was filed on March 14, 2016, documentary evidence before me is limited to the written tenancy agreement. Pursuant to the agreement the month-to-month tenancy began on September 01, 2015. The agreement provides that the total monthly rent is \$1,300.00. It appears from the agreement that a portion of this total is due on the 1st day of each month, while the balance is due on the 20th day of each month. However, the landlord was unable to clarify specifically how much rent is due on the respective dates.

The application documents that a total of \$5,000.00 is overdue in unpaid rent, however, details in the narrative portion of the application are limited to the following:

The tenant has not paid the full rent since Jan. 2016. The tenant only paid \$200.00 on March 7, 2016.

The landlord also testified that a 10 day notice to end tenancy was served on the tenants.

Conclusion

In the absence of sufficient documentary evidence on which the landlord intends to rely to support his application, I find that the application must be dismissed with leave to reapply.

Going forward, the parties are advised of the information and assistance available from Information Officers at the Residential Tenancy Branch, with regard to dispute resolution services in general, and hearings in particular.

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 12, 2016

Residential Tenancy Branch

