



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNSD, MNDC, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking a monetary order.

The hearing was conducted via teleconference and was attended by the landlord.

The landlord provided documentary evidence to confirm the tenant was served with the notice of hearing documents and this Application for Dispute Resolution, in accordance with their decision, dated October 21, 2015, on file 258784 allowing the landlord to serve the tenant using Facebook on October 23, 2015. Further to the decision of October 21, 2015 I order the documents served in accordance with that decision to be received on the 5th day after they were sent on Facebook.

Based on the landlord's documentary evidence, I find that the tenant has been sufficiently served with the documents pursuant to the *Act*.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to a monetary order for unpaid rent; for all or part of the security deposit and to recover the filing fees from the tenant for the cost of the Applications for Dispute Resolution, pursuant to Sections 26, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

The landlord submitted into evidence a copy of a tenancy agreement signed by the parties on April 21, 2014 for an 18 month fixed term tenancy beginning on May 1, 2014 for a monthly rent of \$1,275.00 due on the 1st of each month with a security deposit of \$640.00 paid.

The landlord submitted the tenant failed to pay rent for the months of June, July, August, and September 2014 and that the tenant vacated the rental unit on September 21, 2014 after the landlord had served the tenant with a 10 Day Notice to End Tenancy for Unpaid Rent. There is no record that the tenant disputed the 10 Day Notice.

Analysis

Based on the landlord's undisputed testimony and documentary evidence I find the landlord has established that the tenant had failed to pay rent for the period claimed in the amount of \$5,100.00.

I also note the landlord paid a \$50.00 filing fee for this Application for Dispute Resolution and a \$25.00 filing fee for her Application for Dispute Resolution seeking authority to serve her hearing documents by a method not allowed under the *Act*.

Conclusion

I find the landlord is entitled to monetary compensation pursuant to Section 67 in the amount of **\$5,175.00** comprised of \$5,100.00 rent owed and the \$50.00 fee paid by the landlord for this application and the \$25.00 fee paid by the landlord for her substituted service order.

I order the landlord may deduct the security deposit and interest held in the amount of \$640.00 in partial satisfaction of this claim. I grant a monetary order in the amount of **\$4,535.00**. This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order in the Provincial Court (Small Claims) and be 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: April 26, 2016

Residential Tenancy Branch