



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Golden Sun Trading Company
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This is an application brought by the Landlord(s) requesting a Monetary Order in the amount of \$1237.00, an Order of Possession based on a notice for nonpayment of rent, and recovery of the filing fee.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed on May 18, 2016 however the respondent did not join the conference call that was set up for the hearing.

Pursuant to section 90 of the Residential Tenancy Act, documents sent by registered mail are deemed served five days after mailing, and therefore it is my finding that the respondent has been properly served with notice of the hearing, and I therefore conducted the hearing in the respondent's absence.

The applicant's testimony was taken under affirmation.

Issue(s) to be Decided

At the beginning of the conference call the applicant stated that the tenant has vacated the rental unit and he now has possession of the unit and therefore an Order of Possession is no longer required.

The issue I dealt with today therefore, is whether or not the applicant has established a monetary claim against the respondent, and if so in what amount.

Background and Evidence

The applicant testified that this tenancy began on July 1, 2013 with a monthly rent of \$650.00.

The applicant further testified that over the year of 2015 the tenant fell behind on the rent in the amount of \$587.00; however she kept saying that she would pay that rent however she never did.

The applicant further testified that in April 2016 the tenant only paid one half the rent, leaving \$325.00 outstanding. He further stated that he informed the tenant that the Ministry had only sent half the rent and she told him she would cover the remainder however she never did.

In May of 2016 the Ministry again only paid one half the rent, leaving a further \$325.00 outstanding.

The applicant is therefore requesting a Monetary Order as follows:

2015 rent outstanding	\$587.00
April 2016 rent outstanding	\$325.00
May 2016 rent outstanding	\$325.00
Filing fee	\$100.00
Total	\$1337.00

Analysis

The applicant has provided a copy of the tenancy agreement that clearly shows that rent for this rental unit is \$650.00 per month, due on the first of each month.

I also accept the applicant's testimony that the tenant failed to pay \$587.00 of the rent payable in the year of 2015, and has failed to pay one half of the April 2016 rent and one half of the May 2016 rent.

I therefore allow the landlords full claim for outstanding rent and recovery of the filing fee.

Conclusion

I have allow the landlords full claim of \$1337.00 and I therefore Order, pursuant to section 38(4)(b) of the Residential Tenancy Act that the landlord may retain the full

security deposit of \$325.00, and pursuant to section 67 of the Residential Tenancy Act I have issued a Monetary Order in the amount of \$1012.00.

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: June 13, 2016

Residential Tenancy Branch