



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC

Introduction

This hearing dealt with the landlords' Application for Dispute Resolution seeking an order of possession.

The hearing was conducted via teleconference and was attended by both landlords and their son.

The landlords testified the tenant was served with the notice of hearing documents and this Application for Dispute Resolution, pursuant to Section 59(3) of the *Residential Tenancy Act (Act)* personally on June 28, 2016 in accordance with Section 89 and that this service was witnessed by a third party.

Based on the testimony of the landlords, I find that the tenant has been sufficiently served with the documents pursuant to the *Act*.

I note after submitting their original Application for Dispute Resolution the landlords filed an Amendment to an Application for Dispute Resolution seeking to add a request for an order of possession based on a 1 Month Notice to End Tenancy for Cause and a monetary claim for unpaid rent.

The landlords confirmed, at the outset of the hearing, that the tenant vacated the rental unit on August 1, 2016. As such, the landlords no longer require an order of possession and I amend their Application for Dispute Resolution to exclude the matter of possession.

Issue(s) to be Decided

The issues to be decided are whether the landlords are entitled to a monetary order for unpaid rent, pursuant to Sections 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

The landlords submitted into evidence a copy of a tenancy agreement signed by the parties on May 1, 2016 for a month to month tenancy beginning on May 1, 2016 for a monthly rent of \$800.00 due on the 13th and 27th of each month.

The landlords testified that the tenant had paid rent for the month of May 2016 in the amount of \$600.00 leaving a balance of \$200.00 owing for May. The landlords also testified the tenant did not pay any amount of rent for the months of June or July 2016.

Analysis

Based on the landlords' undisputed testimony I find the landlords have established the tenant has failed to pay rent in the amounts claimed.

Conclusion

I find the landlords are entitled to monetary compensation pursuant to Section 67 and I grant a monetary order in the amount of **\$1,800.00** comprised of rent owed.

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: August 09, 2016

Residential Tenancy Branch

