



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, FF

Introduction

This is an application brought by the Landlord requesting a monetary order for \$2560.50 and requesting recovery of the \$100.00 filing fee.

The applicant testified that the respondent was served with notice of the hearing by personal service on February 29, 2016. However the respondent did not join the conference call that was set up for the hearing.

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.

All testimony was taken under affirmation.

Issue(s) to be Decided

The issue is whether or not the applicant has established monetary claim against the respondent, and if so in what amount.

Background and Evidence

The applicant testified that the tenant's rent cheques for both the months of January 2016 and February 2016 were not honored by the bank.

The applicant further testified that they attempted to set up a payment plan with the tenant but he stated he was unable to afford any money at all.

The landlord further testified that the tenant subsequently vacated the rental unit on February 29, 2016 giving the landlords permission to retain his full security deposit to be applied to damages and outstanding rent.

The landlord stated that after applying the security deposit towards damages and outstanding rent there is still a total of \$1210.50 rent outstanding for the month of January 2016, and the full \$1350.00 rent is outstanding for February 2016.

The landlord is therefore requesting an order for this outstanding rent, and recovery of the filing fee.

Analysis

After reviewing the testimony and evidence provided by the landlord, it is my finding that the tenant has failed to pay a total of \$2560.50 in rent owed for the months of January 2016 and February 2016.

The landlord has provided evidence that shows that the monthly rent for this unit was \$1350.00 and has provided evidence that shows that the tenants rent cheques for the months of January 2016 and February 2016 were not honored by the bank.

It is my decision therefore that the landlord has established the full amount claimed against the tenant for outstanding rent.

I also allow the landlords request for recovery of the \$100.00 filing fee.

Conclusion

Pursuant to section 67 and 72 of the Residential Tenancy Act I have issued a Monetary Order in the amount of \$2660.50.

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 30, 2016

Residential Tenancy Branch