



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

Introduction

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

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

The landlords testified and provided documentary evidence to confirm 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 July 21, 2016 in accordance with Section 89.

The documentary evidence submitted by the landlords is a typewritten statement confirming the contents of the hearing package and acknowledgment, by way of the tenant's signature, of receipt on July 21, 2016 at 6:04 p.m.

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

The landlords stated at the start of the hearing the tenant vacated the rental unit on September 1, 2016. As such, I find there is no need for an order of possession and I amend the landlords' Application to exclude the matter of possession.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to a monetary order for unpaid rent and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to Sections 67, and 72 of the *Act*.

Background and Evidence

The landlord submitted a copy of a tenancy agreement signed by the parties on June 1, 2016 for a month to month tenancy beginning on June 1, 2016 for a monthly rent of \$1,200.00 due on the 1st of each month with a security deposit of \$500.00 paid.

The landlords submitted that a local service agency paid \$450.00 per month towards the tenant's rent and the tenant was to be responsible for the balance of \$750.00 each month.

The landlords stated the tenant paid none of the \$750.00 for any of the months that she occupied the rental unit – June, July, or August 2016.

Analysis

Based on the landlords' undisputed testimony and evidence I find the landlords have established the tenant has failed to pay rent in the full amount as is required under the tenancy agreement for any of the 3 months she lived in the rental unit.

Conclusion

I find the landlords are entitled to monetary compensation pursuant to Section 67 and I grant a monetary order in the amount of **\$2,350.00** comprised of \$2,250.00 rent owed and the \$100.00 fee paid by the landlord for this application.

This order must be served on the tenant. If the tenant fails to comply with this order the landlords 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: September 08, 2016

Residential Tenancy Branch