



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, MNSD & FF

### Introduction

The Application for Dispute Resolution filed by the landlord makes the following claims:

- a. An Order for Possession for non-payment of rent
- b. A monetary order in the sum of \$3640 for unpaid rent
- c. An order to recover the cost of the filing fee

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondent although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served on the Tenant as he acknowledged receipt of the same by e-mail on August 30, 2016. With respect to each of the applicant's claims I find as follows:

### Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the landlord is entitled to an Order for Possession?
- b. Whether the landlord is entitled to A Monetary Order and if so how much?
- c. Whether the landlord is entitled to recover the cost of the filing fee?

### Background and Evidence

The parties entered into a written tenancy agreement that provided that the tenancy would start on December 1, 2013. The rent is \$1300 per month plus utilities payable in advance on the first day of each month. The tenant paid a security deposit of \$650 at the start of the tenancy.

The tenant(s) failed to pay the rent for the months of June, July and August and the sum of \$3640 remains owing after deducting a \$260 payment made on July 20, 2016. The tenant(s) vacated the rental unit on September 19, 2016.

Analysis - Order of Possession:

As the tenant has vacated the rental unit it is no longer necessary to consider the landlord's application for an Order for Possession.

Analysis - Monetary Order and Cost of Filing fee:

I determined the tenant has failed to pay the rent for the month(s) of June, July and August 2016 and the sum of \$3640 remains outstanding. I granted the landlord a monetary order in the sum of \$3640 plus the sum of \$100 in respect of the filing fee for a total of \$3740.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial Court and 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: October 19, 2016

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Residential Tenancy Branch