



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CASCADIA APARTMENT RENTALS LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes:** OPR, MNR,

### **Introduction**

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for an order of possession and for a monetary order for unpaid rent.

The notice of hearing was served on the tenant on October 11, 2016 by registered mail to the address of the rental unit. The landlord provided a tracking number. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

The landlord had made application for dispute resolution by direct request on September 22, 2016. While processing the paper work, the Arbitrator identified issues with the proof of service of the ten day notice to end tenancy. Since the direct request proceeding is an ex parte proceeding, the Arbitrator ordered a participatory hearing to clarify the identified issues. Accordingly this hearing today was scheduled to address the landlord's application.

The landlord testified that the tenant moved out on October 20, 2016. Since the tenant has moved out, the landlord withdrew her application for an order of possession. Therefore, this hearing only dealt with the landlord's monetary claim.

### **Issues to be decided**

Is the landlord entitled to a monetary order to recover unpaid rent?

### **Background and Evidence**

The tenancy started on November 09, 2015. The monthly rent was \$975.00 due in advance on the first of each month.

The tenant failed to pay rent for September 2016 and on September 02, 2016, the landlord served the tenant with a notice to end tenancy for rent owed in the amount of \$975.00. The tenant did not dispute the notice and returned his keys to the landlord on October 20, 2016, with a note saying that he had moved out.

The landlord is applying for a monetary order for rent for the months of September and October 2016 in the amount of \$1,950.00.

### **Analysis**

Based on the undisputed sworn testimony of the landlord, I accept the landlord's evidence in respect of the claim.

I find that the landlord is entitled to \$1,950.00 for unpaid rent. I grant the landlord an order under section 67 of the *Residential Tenancy Act* for this amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

### **Conclusion**

I grant the landlord a monetary order in the amount of **\$1,950.00**.

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: November 24, 2016

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Residential Tenancy Branch