



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding ROCKWELL MANAGEMENT  
and [tenant name suppressed to protect privacy]

## **DECISION**

### **Dispute Codes:**

OPR MNR

### **Introduction**

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. An Order of Possession - Section 55;
2. A Monetary Order for unpaid rent - Section 67;

I accept the landlord's evidence that despite the tenant having been personally served with the application for dispute resolution and notice of hearing the tenant did not participate in the conference call hearing. The landlord was given opportunity to be heard, to present evidence and to make submissions. The landlord testified the tenant still resides in the unit and has paid the majority of all the rent owing to date and therefore the landlord no longer seeks an end to the tenancy; however seeks a monetary order for outstanding rent.

### **Issue(s) to be Decided**

Is the landlord entitled to the monetary amounts claimed?

### **Background and Evidence**

The landlord's evidence is that rent in the amount of \$650.00 is payable in advance on the first day of each month. The tenant failed to pay all rent in the month of December 2016 and on December 02, 2016 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The landlord applied through the Direct Request process and the matter was adjourned to this participatory hearing. The tenant has since paid almost all of rent owing to this date apart from \$275.00. The parties came to agreement the tenancy could continue if the tenant satisfied all rent by week's end, January 27, 2017.

### **Analysis**

Based on the landlord's undisputed evidence I find that the tenant was served with a notice to end tenancy for non-payment of rent. The tenant subsequently satisfied the rent, save \$275.00, and the landlord no longer seeks to end the tenancy. The tenant has not paid all the outstanding rent and the landlord has established a monetary claim for the unpaid rent in the amount of \$275.00.

**I grant** the landlord an Order under Section 67 of the Act for the amount of **\$275.00**. Only if necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

### **Conclusion**

The landlord's application in relevant part is granted. The tenancy continues.

**This Decision is final and binding on both parties.**

*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: January 23, 2017

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Residential Tenancy Branch