



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR & 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 \$2050 for unpaid rent and use of the laundry
- c. An order to recover the cost of the filing fee

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present. The parties acknowledged they had received the documents of the other party.

I find that the Application for Dispute Resolution/Notice of Hearing was personally served on the Tenant on December 12, 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 January 1, 2016. The rent is \$1500 per month plus \$50 for laundry payable on the first day of each month. The tenant paid a security deposit of \$750 prior to the start of the tenancy.

The tenant vacated the rental unit at the end of December.

Analysis - Monetary Order and Cost of Filing fee:

I dismissed the landlord's claim for December rent as I determined in a previous hearing that the Tenant was entitled to apply her right to the equivalent of one month rent found under section 51(1) of the Act to the rent for December.

I determined the landlord has established a claim against the Tenant in the sum of \$550 for the use of the laundry. The tenancy agreement provided the Tenant was to pay \$50 a month. The tenant has not paid this sum. The tenant acknowledged responsibility for this claim in an e-mail on December 21, 2016. I granted the landlord a monetary order in the sum of \$550 plus the sum of \$100 in respect of the filing fee for a total of \$650.

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: January 17, 2017

Residential Tenancy Branch