



# Dispute Resolution Services

Page: 1

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 \$2700 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 10 day Notice to End Tenancy was served on the Tenant by mailing, by registered mail to where the Tenant resides on February 21, 2017. Further I find that the Application for Dispute Resolution/Notice of Hearing was served on the Tenant by mailing by registered mail to where the Tenant resides on March 19, 2017. 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 month to month written tenancy agreement that provided that the tenancy would start on January 10, 2017. The rent was \$1650 per month payable on the first day of each month. The tenant paid a security deposit of \$825 on January 20, 2017.

The tenant(s) failed to pay the rent for the months of February 2017 (\$1050 is owed) and March 2017 (\$1650 is owed) and the sum of \$2700 remains owing. The tenant(s) vacated the rental unit on March 31, 2017.

Analysis - Order of Possession:

It is no longer necessary to consider the landlord's application for an Order of Possession as the Tenant has vacated and the landlord has regained possession of the rental unit.

Analysis - Monetary Order and Cost of Filing fee:

I determined the tenant has failed to pay the rent for the month(s) of February 2017 (\$1050 is owed) and March 2017 (\$1650 is owed) and the sum of \$2700 remains owing. I granted the landlord a monetary order in the sum of \$2700 plus the sum of \$100 in respect of the filing fee for a total of \$2800.

Conclusion:

**I ordered that the Tenant pay to the Landlord the sum of \$2800.**

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 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: April 19, 2017

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Residential Tenancy Branch