



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

REVIEW HEARING DECISION

Dispute Codes OPR OPC OPB MNR MNDC MNSD CNR

Introduction

This review hearing was scheduled pursuant to the *Residential Tenancy Act* (the Act) in response to a successful application filed by the tenant for review of a decision dated July 6, 2017. In the original decision, the landlord was granted an order of possession and a monetary order in the amount of \$3000.00 which was subsequently suspended pending the outcome of the review hearing.

All named parties attended the conference call hearing as scheduled at 11:00 a.m. However, at the outset of the hearing at approximately 11:08 a.m. the tenant stated "I am done with this" and disconnected from the conference call and did not return although I waited until 11:20 a.m. in order to enable the tenant to re-connect.

Accordingly, in the absence of any evidence or submissions from the review hearing applicant (the tenant), I confirm the original decision and orders dated July 06, 2017.

The landlord had filed an amendment to his original application requesting additional monetary compensation. The landlord's amended application was not served to the tenant at least 14 days prior to the review hearing so aside from the amendment relating additional unpaid rent, the amended application was not accepted.

The landlord testified the tenant has not vacated the rental unit or paid any rent since the original decision and requested to amend his application to include this additional amount. I find the tenant should reasonably have known that the landlord would suffer this loss if the tenant neither paid rent nor vacated the rental unit. I therefore allowed the amendment relating to unpaid rent.

The original monetary order granted to the landlord included unpaid rent of \$1500.00 per month for the period of May 2017 to July 15, 2017. Therefore, I find that the landlord is entitled to an additional Monetary Order in the amount of \$3750.00 (\$750.00 for July 16-31, 2017 + \$1500.00 for August 2017 + \$1500.00 for September 2017).

Pursuant to section 67 of the *Act*, I grant the landlord a Monetary Order in the amount of \$3750.00. Should the tenant fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court. This monetary order is in addition to the monetary order previously granted to the landlord on July 6, 2017.

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: September 08, 2017

Residential Tenancy Branch