



# 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 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 a representative of the applicant and in the absence of the respondents 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 Tenants by posting on July 5, 2017. Further I find that the Application for Dispute Resolution/Notice of Hearing was personally served on each of the Tenants on August 18, 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 written tenancy agreement that provided that the tenancy would start on December 16, 2010. The rent was \$1200 per month payable in advance on the first day of each month. The tenants paid a security deposit of \$600 at the start of the tenancy. The rent has been increased to \$1275 per month payable in advance on the first day of each month.

The tenant(s) failed to pay the rent for the months of July 2017 (\$355 is owed) and September (\$1275 is owed) and the sum of \$1630 remains outstanding. .

The tenant(s) vacated the rental unit at the end of September 2017.

Analysis - Order of Possession:

It is no longer necessary to consider the landlord's application for an Order of Possession as the Tenants have vacated the rental unit.

Analysis - Monetary Order and Cost of Filing fee:

I determined the tenants failed to pay the rent months of July 2017 (\$355 is owed) and September (\$1275 is owed) and the sum of \$1630 remains outstanding. I granted the landlord a monetary order in the sum of \$1630 plus the sum of \$100 in respect of the filing fee for a total of \$1730.

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: November 07, 2017

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Residential Tenancy Branch