



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR OPR OPC FF

Introduction:

Only the landlord attended the hearing and gave sworn testimony. He said he served the 10 Day Notice to end Tenancy dated October 2, 2017 to be effective October 30, 2017 in their mail slot and the One Month Notice to End Tenancy for Cause dated September 13, 2017 to be effective October 29, 2017 also. The landlord's Application for Dispute Resolution and Amendment was served by registered mail (tracking numbers provided). I find the tenant was legally served with the documents according to sections 88 and 89 of the Act. The landlord applies pursuant to the Residential Tenancy Act (the Act) for orders as follows:

- a) A monetary order pursuant to Sections 46 and 67;
- b) An Order of Possession pursuant to Sections 46 or 47 and 55; and
- c) To recover the filing fee for this Application.

Issue(s) to be Decided:

Is the landlord entitled to an Order of Possession under either section 46 or 47 and to a Monetary Order for rental arrears and filing fee?

Background and Evidence:

Only the landlord attended although the tenant was legally served with the Application/Notice of Hearing. The landlord was given opportunity to be heard, to present evidence and to make submissions. The undisputed evidence is that the tenancy commenced April 1, 2016, a security deposit of \$500 was paid and rent is \$1000 a month. The landlord said the tenant did not pay rent for October 2017 and appeared to have vacated around the end of October. He saw no lights in the home on November 1, 2017 so called BC Hydro and found out she had closed her account as of October 31, 2017. She had changed the locks so he was unable to enter until November 2, 2017. She came back to retrieve a vacuum but had moved her other belongings.

The landlord no longer required an Order of Possession but is claiming the rental arrears of \$1000.00. He prefers to retain the security deposit in trust. The tenant did not

provide documents or attend to dispute the amount owing. On the basis of the documentary and solemnly sworn evidence presented at the hearing, a decision has been reached.

Analysis

Monetary Order

I find that there are rental arrears in the amount of \$1000.00 for October 2017.

Conclusion:

I find the landlord is entitled to a monetary order as calculated below and to recover filing fees paid for this application.

Calculation of Monetary Award:

Rent arrears October 2017	1000.00
Filing fee	100.00
Total Monetary Order to Landlord	1100.00

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: December 13, 2017

Residential Tenancy Branch