



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

The landlord applies for an order of possession pursuant to a ten day Notice to End Tenancy and for a monetary award for unpaid rent and loss of rental income.

The tenant did not attend the hearing within ten minutes after its scheduled start time.

Ms. A. for the landlord showed that the tenant was served with the application and notice of hearing by registered mail (Canada Post tracking number shown on cover page of this decision). Canada Post records show that the mail was sent November 22, 2017 and went “unclaimed by recipient.” A party cannot avoid this process by declining to claim his or her mail. I find that the tenant has been duly served.

Ms. A. reports that the tenant vacated the rental unit on November 29 or 30, 2017. An order of possession is no longer sought.

Ms. A. limits the landlord’s claim to unpaid rent for the months of September, October and November 2017. On Ms. A.’s uncontested evidence I find the landlord is owed rent for those months and I award her \$4800.00, plus recovery of the \$100.00 filing fee paid for this application.

I authorize the landlord to retain the \$800.00 security deposit in reduction of the amount awarded. The landlord will have a monetary order against the tenant for the remainder of \$4100.00.

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 20, 2017

Residential Tenancy Branch