



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ACTION PROPERTY MANAGEMENT
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: OPR, MNR, MNDC, FF

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for an order of possession and for a monetary order for unpaid rent and the filing fee. The notice of hearing was served on the tenant on December 07, 2017 by registered mail. The landlord provided a tracking number. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

At the start of the hearing the landlord informed me that the tenant had moved out on February 07, 2018 and that prior to moving out he had paid all outstanding rent except for \$475.00. Since the tenant has moved out, the landlord withdrew her application for an order of possession. The landlord also amended the amount of her monetary claim to \$475.00.

Issues to be decided

Is the landlord entitled to a monetary order to recover unpaid rent and the filing fee?

Background and Evidence

The tenancy started on August 29, 2016. The monthly rent was \$950.00 due in advance on the first of each month.

The landlord testified that the tenant failed to pay rent starting November 2017 and the landlord had served the tenant with a notice to end tenancy for non-payment of rent. However the landlord also stated that the tenant paid all outstanding rent except for half of February 2018. The tenant moved out on February 07, 2018 and did not provide the landlord with a forwarding address.

Analysis

Based on the undisputed sworn testimony of the landlord and in the absence of evidence to the contrary, I accept the landlord's testimony in respect of his claim. I find that the tenant owes rent in the amount of \$475.00. The landlord has proven his case and is therefore also entitled to the recovery of the filing fee in the amount of \$100.00.

The landlord has established a total claim of \$575.00 I grant the landlord an order under section 67 of the *Residential Tenancy Act* for this amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order for **\$575.00**.

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: February 20, 2018

Residential Tenancy Branch