



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *OPC, MNR, 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 package was served on the tenant on March 08, 2018 in person. 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.

The landlord testified that the tenant moved out on March 31, 2018. Since the tenant has moved out, the landlord withdrew his application for an order of possession. Therefore, this hearing only dealt with the landlord's monetary claim.

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 April 01, 2017. The monthly rent was \$800.00 due in advance on the first of each month.

The landlord testified that the tenant failed to pay full rent for October 2017 and January 2018 and also failed to pay any rent for February and March 2018. The landlord filed copies of text messages between the two parties that indicate that the tenant was repeatedly late paying rent. On January 27, 2018, the landlord served the tenant with a notice to end tenancy for cause.

The reason for the notice was that the tenant was repeatedly late paying rent. The tenant did not dispute the notice, did not pay the outstanding rent and moved out on March 31, 2018 without providing the landlord with a forwarding address.

The landlord is applying for a monetary order for rent for the months of October 2017 (\$750.00), January 2017 (\$200.00), February 2018 (\$800.00) and March 2018 (\$800.00) for a total amount of \$2,550.00.

Analysis

Based on the undisputed sworn testimony of the landlord, I accept the landlord's evidence in respect of the claim. I find that the landlord is entitled to \$2,550.00 for unpaid rent. Since the landlord has proven his case, I award him the recovery of the filing fee of \$100.00.

I grant the landlord an order under section 67 of the *Residential Tenancy Act* for \$2,650.00. 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 in the amount of **\$2,650.00**.

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: May 16, 2018

Residential Tenancy Branch