



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, 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, unpaid utilities and the filing fee.

The notice of hearing was served on the tenant on November 01, 2018 by registered mail at the address of the rental unit. 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 parties had attended a hearing on November 16, 2018 which was convened to address the tenant's application for dispute resolution. The landlord was awarded an order of possession effective two days after service on the tenant. The landlord stated that she had served the order on the tenant but the tenant did not move out. At the time of this hearing the landlord was in the process of enforcing the order of possession.

Since the landlord has been granted an order of possession at a prior hearing, this portion of the landlord's application is moot. Accordingly, this hearing dealt solely with the landlord's application for a monetary order.

Issues to be decided

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

Background and Evidence

The tenancy started on March 01, 2018. The monthly rent is \$2,600.00 due in advance on the first of each month.

The landlord testified that the tenant failed to pay full rent for August 2018 and owed the landlord \$504.00. On September 01, 2018, the tenant failed to pay rent and continued to reside at the rental unit without paying rent. As of the date of this hearing – December 07, 2018, the tenant owed rent in the total amount of \$10,904.00

The landlord also stated that the tenant was provided with a notice to pay utilities on August 09, 2018. As of the date of this hearing the tenant owed \$3,104.16 in unpaid utilities. The landlord filed copies of her notice to the tenant and copies of the utility bills.

The landlord is claiming \$10,904.00 in unpaid rent, \$3,104.16 in unpaid utilities plus \$100.00 for the filing fee.

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 \$10,904.00 for unpaid rent plus \$3,104.16 in unpaid utilities. Since the landlord has proven her claim I award her the recovery of the filing fee of \$100.00 for a total claim of \$14,108.16. 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 in the amount of **\$14,108.16**.

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 07, 2018

Residential Tenancy Branch