



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPRM – DR, FF

Introduction

This hearing was convened in response to an adjourned hearing respecting a Direct Request application by the landlord pursuant to the *Residential Tenancy Act* (the Act). The landlord originally sought Orders as follows:

1. An Order of Possession - Section 55
2. A Monetary Order for unpaid rent - Section 67
3. To recover the filing fee – Section 72

I accept the landlord's evidence that despite the tenants (the tenant) having been personally served with the application for dispute resolution and notice of this hearing in accordance with Section 89 of the Residential Tenancy Act (the Act) the tenant did not participate in the conference call hearing. The landlord was given full opportunity to be heard, to present evidence and to make submissions.

The landlord advised at the outset of the tenancy the 3 tenants had vacated February 21, 2019. Therefore, the landlord solely sought the Monetary Order portion of their claim.

Issue(s) to be Decided

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

I have benefit of the tenancy agreement. The tenancy began July 28, 2018. Rent in the amount of \$3350.00 was payable in advance on the first day of each month. The

tenant failed to pay rent in the month of January 2019 and on January 04, 2019 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The tenant further failed to pay rent for the month of February 2019.

Analysis

Based on the landlord's undisputed evidence I find that the tenant was served with a notice to end tenancy for non-payment of rent and I find the notice to be valid. The tenant has vacated but has not paid the outstanding rent for January and February, 2019.

I find the landlord has established a monetary claim for unpaid rent in the sum of \$6700.00 and is further entitled to recover the filing fee for a sum award of \$6800.00.

I grant the landlord an Order under Section 67 of the Act for the amount of **\$6800.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

Conclusion

The landlord's application is granted in the above terms and is provided a Monetary Order.

This Decision is final and binding.

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: March 12, 2019

Residential Tenancy Branch