



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, FF

Introduction

This hearing was convened in response to an application by the landlord for a Monetary Order in respect to unpaid rent and to recover the filing fee.

The hearing was conducted by conference call. The landlord attended the hearing, however the tenant did not. I am satisfied by the landlord's evidence that the tenant was served with the application and Notice of Hearing package including evidence by registered mail to the forwarding address of the tenant. The landlord provided proof of mail registration including the respective tracking numbers and proof of registered mail delivery. I am satisfied the tenant was served with the action against them in accordance with the Act. The tenant did not submit evidence to the proceeding nor the landlord.

Issue(s) to be Decided

Is the landlord entitled to a monetary order in the amounts claimed?

Background and Evidence

The undisputed testimony and evidence of the landlord is as follows. The tenancy started November 15, 2014 and ended December 31, 2016. I have benefit of a copy of the tenancy agreement which states that the agreed rent under the tenancy agreement was \$2,275.00 per month payable semi-monthly in payments of \$1,137.50 on the 1st and 16th day of each month.

Upon the tenant vacating the rental unit the parties entered into a 'Debt Repayment Agreement', of which I have benefit of a copy, in which the parties agreed the tenant would satisfy outstanding rent from during the tenancy in the sum of \$10,237.50. The

landlord's testimony and other evidence is that the tenant has, to date, satisfied a portion of the agreed rent arrears in the amount of \$5,100.00 and that there remains a balance of unpaid rent in the amount of \$5,137.50.

Analysis

I accept the landlord's testimony and documentary evidence submitted as establishing that they are owed unpaid rent in the claimed amount of \$5,137.50. The landlord is further entitled to recover the \$100.00 filing fee paid for their application for a total award of \$5,237.50.

I grant the landlord an Order under Section 67 of the Act for the amount of **\$5,237.50**. 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 and they have been given a Monetary Order in the above terms.

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 26, 2019

Residential Tenancy Branch