



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *MNR, MNDC, FF*

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for a monetary order for unpaid rent, unpaid utilities and the filing fee.

The landlord sent a copy of his application and the notice of hearing to the tenant by registered mail on July 16, 2019, to the P.O. Box address provided by the tenant. The landlord provided a tracking number and a photograph of the returned package which is marked "refused".

Even though the tenant refused to pick up registered mail, he is deemed to have been served with the notice of hearing package. The tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

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

Background and Evidence

The tenancy started on March 01, 2018. The monthly rent was \$900.00 payable on the first of each month and did not include utilities. The landlord stated that the tenant failed to pay a security deposit. A copy of the tenancy agreement was filed into evidence.

The landlord stated that right from the first month of tenancy, the tenant did not pay full rent and owed \$400.00 for March 2018. The landlord also added that right through the tenancy the tenant paid partial or no rent at all.

The landlord stated that the tenant always promised to catch up on rent by telling him that the Government owed her money and she was expecting a bulk payment.

The landlord gave the tenant multiple 30-day notices to pay utilities and filed copies of these notices and utility bills into evidence. The landlord also filed copies of rent payments made by the tenant. The tenant moved out on July 01, 2019.

The landlord stated that when the tenant moved out, she owed rent in the amount of \$10,950.00 plus \$641.96 in unpaid utilities. The landlord is claiming unpaid rent, unpaid utilities plus the filing fee of \$100.00 for a total claim of \$11,691.96.

Analysis

Based on the undisputed testimony of the landlord and the documents filed into evidence, I find that the landlord has proven his monetary claim. Since the landlord has proven his claim, he is also entitled to the filing fee.

Overall the landlord has established a claim of \$11,691.96. and 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 the amount of **\$11,691.96.**

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: October 21, 2019

Residential Tenancy Branch