



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding MISSION CITY PAWN SHOP
INC. and [tenant name suppressed to protect privacy]

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 and the filing fee.

The notice of hearing was served on the tenant on September 27, 2019, by registered mail. The landlord provided a tracking number. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord's agent attended the hearing and was given full opportunity to present evidence and make submissions.

At the start of the hearing the landlord informed me that the tenant had moved out on or about November 15, 2019. Since the tenant has moved out, the landlord withdrew his application for an order of possession. Accordingly, this hearing only dealt with the landlord's monetary claim for unpaid rent, unpaid utilities and the filing fee.

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, 2019. The monthly rent was \$1,010.00 due in advance on the first of each month and did not include utilities. There is no written tenancy agreement.

The landlord testified that the tenant failed to pay for utilities and on August 09, 2019, the landlord sent the tenant a written demand for payment in the amount of \$260.57. The tenant did not make payment.

On September 01, 2019, the tenant failed to pay rent for September. On September 07, 2019, the landlord served the tenant with a ten day notice to end tenancy for unpaid rent in the amount of \$1,010.00 plus \$260.57 in unpaid utilities. The tenant did not dispute the notice and continued to occupy the rental unit without paying rent.

At the time of the hearing the tenant owed the landlord unpaid rent for September, October and November 2019 in the total amount of \$3,030.00 plus \$260.57 in unpaid utilities.

Analysis

Based on the undisputed sworn testimony of the landlord and in the absence of evidence to the contrary, I accept the landlord's testimony in respect of his claim. I find that the tenant owes rent for September, October and November 2019 in the total amount of \$3,030.00 plus \$260.57 in unpaid utilities for a total of \$3,290.57. The landlord has proven his case and is therefore also entitled to the recovery of the filing fee in the amount of \$100.00.

Overall the landlord has established a claim of \$3,390.57. 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 **\$3,390.57**

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 02, 2019

Residential Tenancy Branch