



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *MND, 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, interest on unpaid rent, mailing costs and the filing fee.

The landlord sent a copy of his application and the notice of hearing to the tenant by registered mail on June 04, 2020, to the address of the dispute rental unit that the tenant resides in. The landlord filed a copy of the tracking slip.

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.

At the start of the hearing I informed the landlord that the legislation does not permit me to award any litigation related costs other than the filing fee. Accordingly, the landlord's claim for interest costs and mailing costs is dismissed.

Issues to be decided

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

Background and Evidence

The landlord testified that the tenancy started on February 01, 2020. The monthly rent is \$1,280.00 payable on the first of each month and did not include utilities. A copy of the tenancy agreement was filed into evidence.

The landlord submitted that the tenant failed to pay full rent for the months of April, May and June 2020. Due to Provincial orders issued during the Pandemic, the landlord was unable to serve the tenant with a notice to end tenancy for unpaid rent. The tenant continues to occupy the rental unit and has failed to pay any rent for the months of July and August 2020. The landlord testified that as of the date of this hearing, the tenant owed \$4,480.00 in unpaid rent. The tenant also owes \$83.49 in unpaid utilities.

The landlord filed a rent ledger and a utility bill to support his monetary claim.

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 recovery of the filing fee.

Overall, the landlord has established a claim of \$4,663.49. 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 **\$4,663.49**.

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: August 13, 2020

Residential Tenancy Branch