



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR, MNSD, FF

Introduction

This hearing dealt with an application by the landlord pursuant to sections 67, 38, and 72 of the *Residential Tenancy Act*. The landlord applied for a monetary order for unpaid rent and the filing fee. The landlord also applied to retain the deposit in partial satisfaction of his claim.

The landlord testified that the notice of hearing and evidence package was served on the tenant on June 07, 2020 by registered mail to the rental unit. The landlord provided a tracking number and proof of the tenant signing for the package. 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.

Issues to be decided

Is the landlord entitled to a monetary order to recover unpaid rent and the filing fee?

Background and Evidence

The landlord testified that the tenancy started on February 01, 2020. The monthly rent is \$950.00 due in advance on the first of each month. Prior to moving in the tenant paid a security deposit of \$475.00.

The landlord testified that he received the emergency rental supplement from the Province in the amount of \$300.00 per month for the months of April, May and June. The tenant failed to pay the balance of \$650.00 per month for each of the three months. The tenant continued to occupy the rental unit without paying rent for July 2020. The landlord testified that the tenant moved out on July 31, 2020 without providing the landlord with a forwarding address.

The landlord testified that as of the date of this hearing the tenant owes a total of \$2,900.00 in unpaid rent. The landlord stated that he will deal with the return of the deposit when the tenant provides a forwarding address.

The landlord is applying for a monetary order in the amount of \$2,900.00 for unpaid rent for the months of April, May, June and July 2020 plus \$100.00 for the filing fee.

Analysis

Based on the undisputed sworn testimony of the landlord, the documents filed into evidence and in the absence of evidence to the contrary, I accept the landlord's evidence in respect of the claim.

I find that the landlord is entitled to his monetary claim of \$2,900.00 for unpaid rent. Since the landlord has proven his case, I grant him the recovery of the filing fee of \$100.00 for a total established claim of \$3,000.00.

I grant the landlord an order under section 67 of the *Residential Tenancy Act* for \$3,000.00. 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 **\$3,000.00**.

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: September 10, 2020

Residential Tenancy Branch