



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CENTURY 21 ENERGY REALTY  
and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes:** MNR, FF

### **Introduction**

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act*, for a monetary order for unpaid rent for multiple months starting January 2022 and for the recovery of the filing fee.

The notice of hearing was served on the tenant on December 16, 2022, by registered mail to the forwarding address provided by the tenant. A copy of the registration slip was filed into evidence. The landlord confirmed the tenant's address by speaking with the property manager of the building that the tenant had moved to.

Despite having been served with 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**

Has the landlord established a claim for unpaid rent and the recovery of the filing fee?

### **Background and Evidence**

The tenancy started on September 30, 2020, and ended on July 04, 2022. The rent was \$1100.00 due in advance on the first day of each month.

The landlord testified that the rental unit was managed by another property management company until April 2022 at which time the management of the property changed hands.

The landlord stated that the prior company did not issue 10-day notices to tenants who were behind on rent. By the time this discrepancy was noticed the tenant had already moved out.

The landlord filed a copy of the rent ledger and drew my attention to the entries that showed rent was paid by cheque and then a stop payment was put on the cheque, before the money reached the landlord's account. The ledger shows that there are at least 7 such stop payments of rent which left a balance of \$5,000.00 in unpaid rent.

### **Analysis**

Based on the sworn undisputed testimony of the landlord and the rent ledger filed into evidence, I accept the landlord's claim for unpaid rent in the amount of \$5,000.00. Since the landlord has proven her case, I grant her the recovery of the filing fee of \$100.00.

I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the amount of \$5,100.00. 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 in the amount of **\$5,100.00**.

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: January 20, 2023

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Residential Tenancy Branch