



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## **DECISION AND REASONS**

**Dispute Codes:** OPR, MNR, MNSD, FF

### **INTRODUCTION**

This hearing dealt with an application by the landlord who is seeking orders as follows:

1. A monetary order pursuant to Section 67;
2. An Order of Possession pursuant to Section 55;
3. An Order to retain the security and/or pet deposit pursuant to Section 38; and
4. An Order to recover the filing fee pursuant to Section 72.

The landlord submits that the tenant has now vacated the rental unit and the Order of Possession is no longer required.

Both parties were given a full opportunity to be heard, to present evidence and to make submissions. Neither party requested an adjournment or a Summons to Testify.

On the basis of the solemnly sworn evidence presented at the hearing a decision has been reached.

### **FINDINGS**

#### **Monetary Order**

I find that there are rental arrears and I therefore grant the landlord a monetary order in the sum of \$80.00 therefore. The landlord is at leave to reapply for a monetary award for damage and/or loss.

#### **Security Deposit**

I find further that the landlord is entitled to retain part of the security deposit to recover the monetary award made herein.

The landlord testified that he intends to make application for a monetary award for damages to the rental unit once he has had an opportunity to inspect it. I note that as at the date of this hearing the tenant had not yet provided a forwarding address so the landlord's obligation to return the balance of the deposit has not yet been triggered.

#### **Filing Fees**

I find that the landlord is entitled to recover the filing fees paid for this application.



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2

### Calculation of Monetary Award

Security and pet deposits held by the landlord and interest from the dates paid to the date of this Order	\$1,406.83
Less monetary award made herein for rental Arrears to be retained by Landlord	-80.00
Filing Fees for the cost of this application to be retained by landlord	-50.00
<b>Balance of Deposits and interest remaining</b>	<b>\$1,276.83</b>