

# Dispute Resolution Services

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

## **DECISION**

**Dispute Codes:** MNR MNSD OPR FF

### **Introduction**

This matter dealt with an application by the landlord for an order of possession and a monetary order related to unpaid rent. The landlord also seeks to retain all or part of the security deposit in full or partial satisfaction of any monetary order and also to recover the filing fee for the cost of this application.

Both the landlord's agent and the tenant appeared at the hearing and were afforded the opportunity to present evidence.

At the commencement of the hearing, the landlord advised that the tenant had vacated the rental unit 2 days ago, and that an order of possession was no longer required.

### **Issue(s) to be Decided**

- Is the landlord entitled to a monetary order for unpaid rent, and if so, in what amount?

### **Background and Evidence**

The landlord gave evidence that the monthly rent payable was \$988.00, and that the rent had not been paid for the months of October and November. The tenant who was present at the hearing agreed that the rent had not been paid and that he was aware that he was liable for the payment.

### **Analysis**

I find that the landlord has established that rent in the amount of \$1976.00 is overdue, and the tenant has not disputed that fact. I find that the landlord is entitled to a monetary order for unpaid rent of \$1976.00 and for the filing fee of \$50.00.

### **Conclusion**

I order that the landlord may retain the security deposit plus interest in the amount of \$489.49 and I grant the landlord a monetary order for the balance of \$1536.51. The order may be filed with and enforced as an order of the Provincial Court of British Columbia.

Dated: November 26, 2008