



# **Dispute Resolution Services**

Residential Tenancy Branch  
Ministry of Housing and Social Development

## **Decision**

### **Dispute Codes:**

MNR

OPR

MNSD

FF

### **Introduction**

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession based on the Notice to End Tenancy for Unpaid Rent dated February 24, 2009, a monetary order for rent owed and an order to retain the security deposit in partial satisfaction of the claim.

Although served with the Application for Dispute Resolution and Notice of Hearing in person and confirming to the landlord that he would be attending the tenant did not appear.

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

The landlord stated that he is no longer seeking an Order of Possession as the tenant vacated the unit at the beginning of March 2009, although his possessions remained for a period of time after he moved out. The landlord still seeks a monetary order claiming unpaid rent of \$100.00 for the month of December, 2008, \$600.00 rental arrears for the month of January 2009 and \$600.00 arrears for the month of February 2009.

The issue to be determined, based on the testimony and evidence, is whether or not the landlord is entitled to monetary compensation for rental arrears owed.

### **Background and Evidence**

The landlord testified that the tenancy began on March 2008, at which time the tenant paid a security deposit of \$300.00. The landlord testified that when the tenant failed to pay rent for part of December, January and February a 10-Day Notice to End Tenancy for Unpaid Rent was issued and served. The landlord submitted into evidence a copy of the 10-Day Notice to End Tenancy dated February 24, 2009 with effective date of March 5, 2009, a copy of the tenancy agreement and proof of service of the Ten-Day Notice

### **Analysis**

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent by posting it on the door. The tenant has not paid the outstanding rent and did not apply to dispute the Notice.

I find that the landlord has established a total monetary claim of \$1,350.00 comprised rent of \$100.00 for the month of December, 2008, \$600.00 rental arrears for the month of January 2009 and \$600.00 arrears for the month of February 2009 and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the security deposit and interest of \$303.76 in partial satisfaction of the claim leaving a balance due of \$1,046.24.

### **Conclusion**

I hereby grant the Landlord an order under section 67 for \$1,046.24. This order must be served on the Respondent and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

April 2009

Date of Decision

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Dispute Resolution Officer