



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

Decision

Dispute Codes:

MNR

FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for a monetary order for rent owed.

Although served with the Application for Dispute Resolution and Notice of Hearing in person on March 7, 2009, the tenant did not appear

Issue(s) to be Decided

The landlord is seeking a monetary order claiming unpaid rent of \$56.00 for partial arrears for the month of November 2008 and \$1,556.00 unpaid rent for the month of December 2008.

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

Background and Evidence

The landlord submitted into evidence a copy of the 10-Day Notice to End Tenancy dated December 4, 2008 with effective date of December 15, 2008, a copy of the tenant's tenancy agreement and proof of service. The landlord testified that the tenancy began on October 1, 2007, at which time the tenant

paid a security deposit of \$750.00. The landlord testified that the tenant failed to pay the complete rent for November 2008 and did not submit any rent for December. A Ten-Day Notice to End Tenancy for Unpaid Rent was served on the tenant and in a phone call on December 6, 2008, the tenant advised that he would be vacating the suite. The landlord testified that two move-out inspection dates were set, but the tenant did not show up. The landlord is seeking monetary compensation in the amount of \$1,612.00.

Analysis

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent, failed to pay the arrears and did not apply to dispute the Notice. I find that the landlord is entitled to compensation of \$1,662.00 including \$56.00 rent owed for November and \$1,556.00 owed for December 2008 and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the security deposit and interest of \$752.83 in partial satisfaction of the claim leaving a balance due of \$909.17.

Conclusion

I hereby grant the Landlord an order under section 67 for \$909.17. 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

Dispute Resolution Officer