



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes FF, MNDC, MNR, MNSD, OPR

Introduction

A substantial amount of documentary evidence, photo evidence, and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by hand on March 31, 2009 but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issues to be decided

First of all it is my decision that I will not deal with all the issues that the applicant has put on the application. For claims to be combined on one application they must be related.

Not all the claims on this application are sufficiently related to the main issues, (which are a request for an order of possession and for outstanding rent), to be dealt with together.

I therefore will deal with the requests for an order of possession and for outstanding rent, and I dismiss the remaining claims with liberty to re-apply.

Decision and reasons



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The landlord(s) had applied for an order of possession however at the time of the hearing the tenant had already vacated and the landlord had possession of the rental unit and therefore an order of possession is no longer needed. However rent in the amount of \$3300.00 is still outstanding to the end of May 2009.

I therefore Order, pursuant to Section 38, that the landlord(s) may retain the full security deposit plus interest (\$551.06) towards the outstanding rent.

I further Order pursuant to Section 67 that the respondent(s) pay to the applicant(s) the sum of:

Remaining Outstanding rent	\$2748.94
Total	\$2848.94

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: May 20, 2009.

Dispute Resolution Officer