

Dispute Resolution Services

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

DECISION

Dispute Codes:

MNR, MNSD, FF

Introduction

This hearing was convened in response to an application by the landlord for a Monetary Order to recover rental arrears and inclusive of recovery of the filing fee associated with this application, and an order to retain the security deposit in partial satisfaction of monetary claims.

Both the landlord and the tenant attended the conference call hearing and each were given an opportunity to participate and make submissions.

Issue(s) to be Decided

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

The tenancy began in September 2007 and ended March 01, 2009. Rent in the amount of \$1450 per month was payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$725. The tenant failed to pay all rent in the month of January 2009 and the tenant further failed to pay rent for the month of February 2009. The quantum of the landlord's monetary claim is also inclusive of unpaid utilities, carpet cleaning, as per the tenancy agreement, and new locks (keys were not returned) for a total of **\$2065.03**.

The landlord is not entitled to costs for registered mail.

Analysis

Based on the landlord's testimony, and that of the tenant, I find that the tenant has not paid the outstanding rent and utilities and is responsible for carpet cleaning and new entry door locks.

As for the monetary order, I find that the landlord has established a claim for **\$2065.03** in unpaid rent and ancillary costs. The landlord is also entitled to recovery of the \$50 filing fee, for a total entitlement of **\$2115.03**

Conclusion

I order that the landlord retain the deposit and interest of \$739.56 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of **\$1375.47**. If necessary, this order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated June 05, 2009