



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      FF, MNR, MNSD, OPR

### Introduction

Some documentary 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 July 27, 2009 but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Decision and reasons

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 \$\$3235.44 is still outstanding to the end of August 2009.

I therefore Order, pursuant to Section 38, that the landlord(s) may retain the full security deposit plus interest (\$395.95) towards the outstanding rent.

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



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Remaining Outstanding rent	\$2839.49
Total	\$2889.49

The applicant withdrew the claim for September 2009 rent as the rental unit was re-rented.

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: September 04, 2009.

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Dispute Resolution Officer