



Dispute Resolution Services

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

DECISION

Dispute Codes: MNR, MNSD and FF

Introduction

This application was brought by the landlord seeking a Monetary Order for unpaid rent and utilities, recovery of the filing fee for this proceeding, and authorization to retain the security deposit in set off against the balance owed.

Despite having been served with the Notice of Hearing served in person on July 18, 2009, the tenant did not call in to the number provided to enable his participation in the telephone conference call hearing. Therefore, it proceeded in his absence.

Issues to be Decided

This application requires a decision on whether the landlord is entitled to a Monetary Order for the unpaid rent and utilities and filing fee and authorization to retain the security deposit in set off against the balance owed.

Background and Evidence

During the hearing, the landlord gave evidence that this tenancy began on July 1, 2008 and ended on or about July 20, 2009 pursuant to an Order of Possession for unpaid rent granted on July 15, 2009.

The order was granted when the tenant did not appear at the hearing brought on his application to set aside a Notice to End Tenancy for unpaid rent served on June 8, 2009.

Rent was \$820 per month and the landlord holds a security deposit of \$410 paid on or about July 1, 2008.

During the hearing, the landlord gave evidence that the Notice to End Tenancy had been served when the tenant had not paid the rent for June 2009. He said the tenant remained until July 20, 2009 and by that time had paid neither the June rent nor the July rent. He stated also that the tenant also had not paid \$158 for hydro.

The tenant left without providing a forwarding address.

Analysis

I find that the landlord is entitled to a Monetary Order for the unpaid rent, utilities and filing fee for this proceeding and authorization to retain the security deposit in set off as follows:

June rent	\$820.00
July rent	820.00
Hydro	158.00
Filing fee	<u>50.00</u>
Sub total	\$1,848.00
Less retained security deposit	- 410.00
Less interest	<u>- 3.09</u>
TOTAL	\$1,434.91

Conclusion

Thus, the landlord's copy of this decision is accompanied by a Monetary Order, enforceable through the Provincial Court of British Columbia, for \$1,434.91 for service on the tenant.