

## **DECISION**

**Dispute Codes:** MNR, MNSD and FF

### **Introduction**

This application was brought by the landlord seeking a Monetary Order for unpaid rent and 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 sent to each of the tenants individually by registered mail on September 12, 2009, the tenants did not call in to the number provided to enable their participation in the telephone conference call hearing. Therefore, it proceeded in their absence.

### **Issues to be Decided**

This application requires a decision on whether the landlord is entitled a Monetary Order for the unpaid rent and recovery of the filing fee for this proceeding, 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 the tenancy originally began with one of the tenants on December 1, 2008 and the other tenant joined the tenancy some time later. Rent was \$2,700 per month and the landlord holds a security deposit of \$1,350.

The landlord stated that the tenants were served on July 31, 2009 with a one-month Notice to End Tenancy for cause. After receiving the notice, the tenants did not pay the rent for August 2009 and the landlord served a Notice to End Tenancy for unpaid rent on August 7, 2009.

The rental unit was vacated on August 31, 2009 and the rent remained unpaid.

### **Analysis**

I find that the landlord is entitled to a Monetary Order for the rent for August 2009, recovery of the filing fee for this proceeding, and authorization to retain the security deposit in set off against the balance owed, calculated as follows:

|   |                   |
|---|-------------------|
| Rent for August 2009                      | \$2,700.00        |
| Filing fee                                | <u>50.00</u>      |
| Sub total                                 | \$2,750.00        |
| Less retained security deposit            | - 1,350.00        |
| Less interest (November 24, 2008 to date) | - <u>2.10</u>     |
| <b>TOTAL</b>                              | <b>\$1,397.90</b> |

### **Conclusion**

Thus, the landlord's copy of this decision is accompanied by a Monetary Order, enforceable through the Provincial Court of British Columbia, for \$1,397.90 for service on the tenants.