

## **DECISION**

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

### **Introduction**

This application was brought by landlord seeking a Monetary Order for unpaid and the cost of garbage removal. In addition, I have exercised the discretion granted by section 64(3)(c) of the *Act* to amend the application to include a request for authorization to retain the security deposit in set off against the balance owed.

Despite having been served with the Notice of Hearing by registered mail sent on August 14, 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.

### **Issue(s) to be Decided**

This application requires a decision on whether the landlords are entitled to a Monetary Order for the unpaid rent and garbage removal, and authorization to retain the security deposit in set off.

## Background and Evidence

This tenancy began on October 1, 2008 under a fixed term rental agreement to October 1, 2009. Rent was \$1,250 per month and the landlords hold a security deposit of \$625 paid on September 22, 2008.

During the hearing, the landlord gave evidence that the tenants moved out on August 1, 2009 after advising the landlord by telephone that they could not keep up with the rent.

The landlord gave further evidence that the tenants had not paid rent for June or July, although they had made one installment of \$100 at the end of the tenancy. The landlord also stated that the tenants left a large amount of refuse on the rental property and claims \$60 for removal and dumping costs.

## Analysis

I find that the landlords are entitled to a Monetary for the two months of unpaid rent (less the \$100 installment), recovery of the cost of refuse disposal, and authorization to retain the security deposit in set off, calculated as follows:

June 2009 rent	\$1,250.00
July 2009 rent	1,250.00
Refuse disposal	60.00
Sub total	\$2,560.00
Less retained security deposit	- 625.00
Less interest (September 22, 2009 to date)	- 2.59
Less installment paid on rent	- 100.00
<b>TOTAL</b>	<b>\$1,832.41</b>

## **Conclusion**

Thus, in addition to the authorization to retain the security deposit and interest in set off, the landlords' copy of this decision is accompanied by a Monetary Order, enforceable through the Provincial Court of British Columbia, for \$1,832.41 for service on the tenants.