

## **DECISION**

**Dispute Codes** MND, MNSD, MNDC, FF

### **Introduction**

This is the Landlord's application for a Monetary Order for damages to the rental unit and compensation for damage or loss; to retain a portion of the security deposit in satisfaction of its monetary award; and to recover the cost of the filing fee from the Tenants.

### **Preliminary Matters**

The Landlord mailed the Tenant the Notice of Hearing documents by registered mail on December 15, 2009, at 12:05 p.m. to the Tenant's forwarding address. The Landlord provided a copy of the registered mail receipt and tracking number in evidence. Despite being served with the documents, the Tenant did not sign into the teleconference, and the Hearing continued in his absence.

At the outset of the Hearing, the Landlord's agent testified that the Tenant had provided written consent that the Landlord could retain the amount claimed for damages from the security deposit. The Landlord provided a copy of the Tenant's consent letter, dated December 23, 2009, in evidence. The Landlord's agent testified that the Landlord returned the balance of the security deposit to the Tenant, in the amount of \$226.25.

The Landlord's application is therefore dismissed in its entirety.

### **Conclusion**

The Landlords' application is dismissed.

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: May 10, 2010