



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

Decision

Dispute Codes:

MNR, OPR, MNSD, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession based on the Notice to End Tenancy for Unpaid Rent dated July 9, 2010, a monetary order for rent owed and an order to retain the security deposit in partial satisfaction of the claim.

Both parties appeared and gave testimony.

At the outset of the hearing the landlord advised that the tenant had vacated the unit on July 30, 2010. Therefore the matter of the Order of Possession has been resolved.

Issue(s) to be Decided

The issue to be determined based on the testimony and the evidence is whether or not the landlord is entitled to monetary compensation for rental arrears owed.

Background and Evidence

The landlord testified that the tenancy began on October 1, 2008, at which time the tenant paid a security deposit of \$700.00. The landlord testified that the tenant fell into arrears which accumulated to \$4,410.00 by July 9, 2010 and the landlord was seeking compensation.

The tenant appeared and confirmed that she was served with a 10-Day Notice to End Tenancy dated July 9, 2010 and acknowledged that the stated arrears of

\$4,410.00 for rent were still owed and unpaid. The tenant testified that she was currently looking for work and has every intention of paying as soon as she is able to do so.

Analysis

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent by posting it on the door. The tenant has not paid the outstanding rent and did not apply to dispute the Notice. I find that the landlord has established a total monetary claim of \$4,460.00 comprised of \$4,410.00 accrued rental arrears and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the security deposit of \$702.64 in partial satisfaction of the claim leaving a balance due of \$3,757.36.

Conclusion

I hereby grant the Landlord an order under section 67 for \$3,757.36. This order must be served on the Respondent and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

September 2010

Date of Decision

Dispute Resolution Officer