



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, OPC, MNR, MNDC, MNSD, FF

Introduction

A substantial amount of documentary evidence, photo evidence, and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by hand on October 12, 2010, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Decision and reasons

The landlord had applied for an order of possession however at the time of the hearing the tenants had already vacated and the landlord had possession of the rental unit and therefore an order of possession is no longer needed. However rent in the amount of \$5,400.00 is still outstanding to the end of November 2010 and since we are well into November 2010 I find it unlikely that the rental unit will be rented out before the end of the month.

I therefore allow the landlord's full claim of \$5,000.00, as the amount of rent outstanding exceeds that amount.



Dispute Resolution Services

Page: 2

Residential Tenancy Branch
Ministry of Housing and Social Development

Conclusion

I therefore Order, pursuant to Section 38, that the landlord(s) may retain the full security deposit plus interest (\$900.00) towards the claim.

I further Order pursuant to Section 67 that the respondent(s) pay to the applicant(s) the sum of:

remainder of claim	\$4100.00
Total	\$4150.00

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: November 08, 2010.

Dispute Resolution Officer