



# Dispute Resolution Services

Residential Tenancy Branch  
Ministry of Housing and Social Development

## **Decision**

**Dispute Codes:** MNSD, FF, O

## **Introduction**

This hearing dealt with two applications: i) by the landlord for retention of the security deposit and recovery of the filing fee; ii) by the tenant for return of the security deposit in addition to other miscellaneous compensation. The landlord participated in the hearing and gave affirmed testimony. Despite the landlord's service of the application for dispute resolution and notice of hearing on the tenant by way of registered mail, and despite scheduling of the hearing in response to applications by both parties, the tenant did not appear.

## **Issues to be decided**

- Whether either party is entitled to any of the above under the Act

## **Background and Evidence**

As a result of the landlord's direct request, an order of possession and a monetary order, both dated June 22, 2010, were issued in favour of the landlord. The monetary order for \$855.00 was issued in relation to unpaid rent for the month of June 2010.

Thereafter, the tenant informed the landlord of her forwarding address, following which, the landlord applied to retain the security deposit of \$427.50 in partial satisfaction of the unpaid rent.

## **Analysis**

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: [www.rto.gov.bc.ca/](http://www.rto.gov.bc.ca/)

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord, I find that the landlord has established entitlement to retention of the security deposit in the amount of \$427.50.

As the landlord has succeeded in this application, I also find the landlord has established entitlement to recovery of the \$50.00 filing fee.

In the absence of an appearance and testimony by the tenant at the hearing, the tenant's application is hereby dismissed.

### **Conclusion**

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlord in the amount of **\$50.00**. Should it be necessary, this order may be served on the tenant, filed in the Small Claims Court and enforced as an order of that Court.

DATE: December 3, 2010

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Dispute Resolution Officer