



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MND, MNR, MNDC, MNSD, FF

Introduction

This conference call hearing was convened in response to the landlord's application for an Order of Possession for unpaid rent; a Monetary Order for damage to the unit, unpaid rent or utilities, to keep the security deposit, and for money owed or compensation for loss under the Act; and to recover the filing fees associated with this application.

Both parties attended the hearing and provided affirmed testimony.

Issue(s) to be Decided

Is the landlord entitled to retain the security deposit?

Is the landlord entitled to a Monetary Order, and if so for what amount?

Is the landlord entitled to recover the filing fee?

Background and Evidence

The rental unit consists of a one bedroom apartment in a multi unit complex. The month to month tenancy started on June 1, 2010 and ended November 14th, 2010. The monthly rent of \$450.00 was payable on the first of each month. The tenant paid a security deposit in the amount of \$225.00.

During the hearing, the parties submitted their evidence, after which they agreed to come to a resolution of this matter.

Pursuant to Section 63(2) of the *Residential Tenancy Act*, the settlement is recorded in the form of a decision as follows:

- The tenant agrees to pay the landlord a monetary claim of \$1400.00, inclusive of the landlord's filing fee.
- The tenant will make monthly payments of \$50.00 to the landlord.
- The tenant's monthly payments will increase once she secures employment.
- The landlord will return the tenant's personal belongings currently held in storage on Monday, February 21st, 2011 at 11 AM at the rental unit.
- The tenant will make the first \$50.00 payment upon receipt of her belongings on February 21st, 2011.
- A monetary order for the sum of \$1400.00 will be awarded to the landlord.

Conclusion

Pursuant to Section 67 of the Act, I grant the landlord a monetary order for the sum of \$1400.00. If necessary, This Order may be registered in the Small Claims Court and enforced as an order of that Court.

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: February 17, 2011.

Residential Tenancy Branch