

Decision

Dispute Codes: MNR, MNDC, MNSD, FF

Introduction

This hearing dealt with the landlord's application for a monetary order as compensation for unpaid rent / compensation for damage or loss under the Act, regulation or tenancy agreement / retention of the security deposit / and recovery of the filing fee. The landlord's agent participated in the hearing and gave affirmed testimony.

Despite the landlord's mailing of the application for dispute resolution and notice of hearing by way of registered mail, the tenant did not appear. Evidence provided by the landlord includes the Canada Post tracking number for the registered mailing.

Issues to be decided

- Whether the landlord is entitled to any or all of the above under the Act, regulation or tenancy agreement

Background and Evidence

Pursuant to a written tenancy agreement, the original fixed term of tenancy was from September 1, 2009 to February 28, 2010. Thereafter, tenancy continued on a month-to-month basis. Monthly rent was \$1,415.00 and a security deposit of \$707.50 was collected.

In writing on August 31, 2010, the tenant gave notice of intent to end the tenancy effective September 30, 2010. However, it was not until October 9, 2010 when the tenant actually vacated the unit. The landlord's agent testified that at the end of tenancy, the parties reached an agreement in regard to monies owed to the landlord, and the disposition of the security deposit. Specifically, the outcome of the agreement was as follows:

\$410.85: pro-rated rent from October 1 to 9, 2011

\$4.32: pro-rated parking

\$150.00: hydro

\$00.54: postage

Sub-total: \$565.71

\$141.79: balance of security deposit returned to tenant by way of cheque, calculated as follows: \$707.50 - \$565.71

The landlord's agent testified that the only aspect of the dispute which was not settled directly between the parties concerns the landlord's application to recover the filing fee.

Analysis

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord's agent, I find that the parties settled all aspects of the dispute between them, with the exception of the landlord's application to recover the \$50.00 filing fee.

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.

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*.

DATE: February 15, 2011

Residential Tenancy Branch