



# Dispute Resolution Services

Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      MNR, MNSD, FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on or about October 13, the tenant did not participate in the conference call hearing.

### Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

### Background and Evidence

The landlord's undisputed evidence is as follows. The tenancy began on January 20, 2009 at which time a \$610.00 security deposit was paid. The tenant was obligated to pay \$1,250.00 per month in rent. The tenant failed to pay \$650.00 of his rent in each of the months of May and June and paid no rent whatsoever in the months of July, August and September 2010. The tenant vacated the rental unit on October 4, 2010. The landlord seeks to recover the rent owing for each of the aforementioned months.

### Analysis

I accept the undisputed evidence of the landlord and I find that the tenant failed to pay \$5,050.00 in rent in the months of May – September inclusive. I find that the landlord is entitled to recover these arrears and I further find the landlord is entitled to recover the \$50.00 filing fee paid to bring his application. I award the landlord \$5,100.00. I order the landlord to retain the \$610.00 security deposit in partial satisfaction of the claim and I grant the landlord a monetary order under section 67 for the balance of \$4,490.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted a monetary order for \$4,490.00 and may retain the security deposit.

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 09, 2011

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Residential Tenancy Branch