



Dispute Resolution Services

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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 allowing retention of the security deposit in partial satisfaction of the claim. The hearing was conducted by conference call. The landlord's representative participated in the hearing. The tenant did not call-in and did not participate although he was served with the Application for Dispute Resolution and Notice of Hearing sent by registered mail on September 8, 2010, to the forwarding address provided at the end of the tenancy.

Issue(s) to be Decided

Is the landlord entitled to a monetary order?

Is the landlord entitled to an order allowing retention of the security deposit?

Background and Evidence

The tenancy began August 28, 2009 for a fixed term ending August 31, 2010. Monthly rent inclusive of storage and parking charges was the sum of \$2,237.50. The tenant paid a security deposit of \$1,053.13, a pet deposit of \$1,025.00 and a key deposit of \$300.00 on August 26, 2009.

The tenant was made a shortfall in several rent payments and failed to pay any rent for May, 2010 to August 2010 inclusive. The tenant vacated the rental unit at the end of August. At the end of the tenancy the outstanding rent amounted to the sum of \$9,018.76. The tenant's son, who was the occupant of the rental unit, participated in a move-out condition inspection on August 27, 2010. He agreed as agent for the tenant



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that the landlord could retain the security and pet deposits in partial satisfaction of the rental arrears.

Analysis and conclusion

Upon the testimony given and documentary evidence presented I find that the landlord is entitled to an award of \$9,018.76 on account of rental arrears. The landlord is entitled to recover the \$100.00 filing fee for a total award of \$9,118.76. The landlord's postal charges are not recoverable charges under the *Residential Tenancy Act*. I order that the landlord retain the security, pet and key deposits in the amount of \$2,378.13 and I grant the landlord an order pursuant to section 67 of the *Act* in the net amount of \$6,740.63. This order may be registered in the Small Claims Court and enforced as an order of that court.

Dated: January 04, 2011.
