



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes: MNR, MNSD, FF, SS

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for orders as follows:

1. A monetary order for unpaid rent;
2. An Order to retain the security and/or pet deposit;
3. An Order to be allowed to serve documents or evidence in a different way than required by the Act; and
4. An Order to recover the filing fee pursuant to Section 72.

The tenants did not appear. The landlord was given full opportunity to be heard, to present evidence and to make submissions.

On the basis of the solemnly sworn evidence presented at the hearing a decision has been reached.

The landlord testified that he no longer requires the order to be allowed to serve documents or evidence a different way than as required by the Act because the landlord was able to locate the tenant at his place of work where the tenant was personally served with the hearing package. I therefore accept that the tenant was properly served with the Notice to End Tenancy and the Application for Dispute Resolution hearing package.

Issue(s) to be Decided

Whether the landlord is entitled to monetary order for unpaid rent, permission to retain the security deposit in partial satisfaction of any rental arrears awarded and recovery of the filing fee.

Background and Findings**Monetary Order*****Rental Arrears***

The landlord testified that the tenant vacated the rental unit sometime in June 2010 without having paid rent for either May or June 2010. Based on the undisputed evidence of the landlord, I find that the landlord has met the burden of proving that there are rental arrears for May and June 2010 each in the sum of \$1,450.00 and I will award the landlord a monetary order for rental arrears in the sum of \$2,900.00.

Security Deposit

I find further that the landlord is entitled to retain the security deposit and interest to the date of this decision in partial satisfaction of the rental arrears.

Filing Fees

I find that the landlord is entitled to recover the filing fees paid for this application.

Calculation of total Monetary Award

| | |
|--|-------------------|
| Rental Arrears | \$2,900.00 |
| Filing Fees for the cost of this application | 50.00 |
| Less Security Deposit Paid August 20, 2009 (no interest accruing) | -650.00 |
| Total Monetary Award | \$2,300.00 |

Conclusion

The landlord is provided with a formal copy of an order for the total monetary award as set out above. Should the tenant(s) fail to comply with this Order, this Order may be filed and enforced as an Order of the Provincial Court of British Columbia.
