



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes FF, MNR, MNSD, OPR

Introduction

A substantial amount of documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by registered mail that was mailed on February 26, 2011, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for an Order of Possession based on a Notice to End Tenancy for non-payment her rent, a request for a monetary order for \$4274.00, and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- Subsequent to filing for dispute resolution the tenants vacated the rental unit and therefore they now have possession. They therefore no longer require an Order of Possession.

- The tenants have however not paid any of the outstanding rent, and at this time there is a total of \$4274.00 rent outstanding.

The applicants are therefore requesting a monetary order for the full outstanding rent plus the filing fee, and request an order allowing them to keep the full security deposit towards the claim.

Analysis

Evidence provided by the landlord shows that the tenants have outstanding rent totalling \$4274.00.

Therefore it is my decision that I will allow the full monetary claim requested by the landlords.

I also order recovery of the filing fee.

Conclusion

I have allowed the full claim of \$4324.00. The landlord may therefore retain the full security deposit of \$550.00 and I have issued a monetary order in the amount of \$3774.00.

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: March 14, 2011.

Residential Tenancy Branch