

DECISION

Dispute Codes MND, MNR, MNSD, MNDC

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. The landlord participated in the conference call hearing but the tenant did not. The landlord presented evidence that the tenant was served with the application for dispute resolution and notice of hearing by registered mail on February 15, 2011. I found that the tenant had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence.

Issues to be Decided

Is the landlord entitled to a monetary order for unpaid rent and utilities.

Background and Evidence

The tenancy began on or about August 2009. Rent in the amount of \$825.00 is payable in advance on the first day of each month. At the outset of the tenancy the landlord collected from the tenant a security deposit in the amount of \$425.00. The tenant failed to give notice that he was moving out and failed to pay rent in the month of October 2010.

Analysis

I accept the landlord's undisputed testimony. The tenant failed to give proper notice and left without paying the rent for October and the utilities for September and October. As for the monetary order, I find that the landlord has established a claim for \$850.00 in unpaid rent and also \$110.73 in unpaid utilities. The landlord is also entitled to recovery of the \$50.00 filing fee. I order that the landlord retain the \$425.00 deposit in partial

satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$585.73. 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 \$585.73. The landlord 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: March 24, 2011.

Residential Tenancy Branch