



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **Decision**

**Dispute Codes:** MNR, MND, MNSD, FF

### **Introduction**

This hearing dealt with the landlord's application for a monetary order as compensation for unpaid rent or utilities / compensation for damage to the unit, site or property / retention of the security deposit / and recovery of the filing fee. The landlord participated in the hearing and gave affirmed testimony. Despite service of the application for dispute resolution and notice of hearing in person on the tenant on June 11, 2011, the tenant did not appear.

As the tenant vacated the unit on or about June 12, 2011, the landlord withdrew the aspect of her original application concerning an order of possession.

### **Issues to be decided**

- Whether the landlord is entitled to any or all of the above under the Act

### **Background and Evidence**

Pursuant to a written tenancy agreement, the month-to-month tenancy began on November 1, 2010. Monthly rent of \$850.00 is payable in advance on the first day of each month. A security deposit of \$425.00 was collected. The unit was brand new at the time when tenancy began.

Arising from rent which was unpaid when due on June 1, 2011, the landlord issued a 10 day notice to end tenancy for unpaid rent dated June 2, 2011. The notice was served in person on the tenant on that same date. A copy of the notice was submitted into evidence. Subsequently, the tenant did not pay rent for the month of June before vacating the unit on or about June 12, 2011. The tenant did not participate in the completion of a move-out condition inspection and report, and while cleaning and certain repairs were required in the unit, the landlord's claim for compensation in this regard is limited to the replacement of one blind.

## **Analysis**

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: [www.rto.gov.bc.ca/](http://www.rto.gov.bc.ca/)

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord, I find that the tenant was served with a 10 day notice to end tenancy for unpaid rent dated June 2, 2009. The tenant did not either pay the outstanding rent or apply to dispute the notice within 5 days of receiving the notice, and he later vacated the unit without providing the landlord with a forwarding address.

As for the monetary order, I find that the landlord has established a claim of \$917.75. This is comprised of \$850.00 in unpaid rent for June 2011, \$17.75 for the cost of replacing one blind, in addition to the \$50.00 filing fee. I order that the landlord retain the security deposit of \$425.00, and I grant the landlord a monetary order under section 67 of the Act for the balance owed of \$492.75 (\$917.75 - \$425.00).

## **Conclusion**

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlord in the amount of **\$492.75**. This order may be served on the tenant, filed in the Small Claims Court and enforced as an order of that Court.

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*.

DATE: June 29, 2011

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Residential Tenancy Branch