



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **Decision**

### **Dispute Codes:**

MNR, OPR, MNSD, FF

### **Introduction**

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession based on the Notice to End Tenancy for Unpaid Rent dated June 2, 2011, a monetary order for rent owed and an order to retain the security deposit in partial satisfaction of the claim.

Although served with the Application for Dispute Resolution and Notice of Hearing by registered mail sent on June 27, 2011, the tenant did not appear.

At the outset of the hearing the landlord advised that the tenant had vacated by July 6, 2011. Therefore, the portion of the landlord's application seeking an Order of Possession is now moot.

### **Issue(s) to be Decided**

The issues to be determined based on the testimony and the evidence are:

Whether or not the landlord is entitled to monetary compensation for rental arrears owed and loss of rent

### **Background and Evidence**

The landlord submitted into evidence a copy of the 10-Day Notice to End Tenancy dated June 2, 2011 with effective date of June 12, 2011. The landlord testified that the tenancy began on June 1, 2006, at which time the tenant paid a security deposit of \$325.00. The is \$767.44 and the landlord testified that the tenant failed to pay rent for the month of June 2011 which is now being claimed.

### **Analysis**

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent by posting it on the door. The tenant has not paid the arrears and did not apply to dispute the Notice. Based on the above facts I find that the landlord has established a total monetary claim of \$817.44 comprised of \$767.44 rental arrears and the \$50.00 fee paid by the landlord for this application. I order that the

landlord retain the security deposit and interest of \$335.81 in partial satisfaction of the claim leaving a balance due of \$481.63.

**Conclusion**

I hereby grant the Landlord an order under section 67 for \$481.63. This order must be served on the Respondent and is final and binding. If necessary it may be filed in the Provincial Court (Small Claims) 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*.

Dated: July 20, 2011.

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Residential Tenancy Branch