

DECISION

Dispute Codes FF, MNR, MNSD

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(s) did not. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing by registered mail on April 21, 2011. I found that the tenants 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. The landlords agent gave affirmed evidence.

Issues to be Decided

Is the landlord entitled to a monetary order for unpaid rent and loss of income?

Background and Evidence

The tenancy began on or about August 2010 and ended April 2011. Rent in the amount of \$1000.00 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 \$500.00. The tenant failed to pay rent in the month(s) of February and March. The landlords agent testified that the tenant abandoned the rental unit in mid to late March without leaving her forwarding address. The tenant also never returned the keys and left the unit dirty with some minor damage. The landlord's agent produced two rent cheques returned from the bank for the months of February and March for non sufficient funds. The landlord is seeking a monetary amount for the two months of unpaid rent and the service charge imposed from the bank for each cheque $\$7.00 \times 2 = \14.00 .

Analysis

I accept the landlord's undisputed testimony. The landlord's agent provided documentary evidence to support his claim of unpaid rent and bank fees incurred. The landlord's agent gave testimony that he had made multiple attempts to contact the tenant however her cell phone was disconnected. The landlord's agent was only able to ascertain her new address by following the moving truck to the new residence. The landlord's agent provided a Canada post tracking number that verified that the tenant had received notice of today's hearing and still made no attempts to contact the landlord.

As for the monetary order, I find that the landlord has established a claim for \$2000.00 in unpaid rent and \$14.00 for the bank fees incurred. The landlord is also entitled to recovery of the \$50.00 filing fee. I order that the landlord retain the \$500.00 deposit in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1564.00. 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 monetary order for \$1564.00. 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: August 12, 2011.

Residential Tenancy Branch