



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC

Introduction

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for compensation for loss - Section 67; and
2. An Order to retain the security deposit - Section 38.

I accept the Landlord’s evidence that the Tenant was served with the application for dispute resolution and notice of hearing by registered mail in accordance with Section 89 of the Act. The Tenant did not participate in the conference call hearing.

The Landlord was given full opportunity to be heard, to present evidence and to make submissions.

Issue(s) to be Decided

Is the Landlord entitled to the monetary amounts claimed?

Background and Evidence

The tenancy began on March 1, 2011 and ended on May 30, 2011. Rent in the amount of \$950.00 was payable in advance on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit from the Tenant in the amount of \$475.00. The Landlord states that the Tenant failed to pay two outstanding strata fines in the combined amount of \$400.00 and a move-out fee of \$50.00. It is noted that the lease agreement provides for charges to be paid by the Tenant. The Landlord orally requested recovery of half the filing fee of \$50.00 at the hearing.

Analysis

Given the undisputed evidence of the Landlord, I find that the Landlord has substantiated its claim and is entitled to a monetary amount of \$450.00. As the Landlord has made a successful claim, I find that the Landlord is also entitled to recovery of half the filing fee in the amount of \$25.00 for a total entitlement of \$475.00.

Conclusion

I order that the Landlord retain the **deposit** and interest of \$475.00 in satisfaction of the claim.

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 26, 2011.

Residential Tenancy Branch