



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **Decision**

### **Dispute Codes:**

MNR, OPR, OPC, MNSD, MNDC, 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 August 16, 2011 or the One-Month Notice to End Tenancy for Cause dated August 16, 2011, a monetary order for rent owed and loss of rent 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 in person on August 26, 2011, the tenant did not appear.

At the outset of the hearing the landlord advised that the tenant had already vacated on August 30, 2011 and also amended the application to exclude the claim for loss of rent as the unit had been re-rented.

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

The remaining issue to be determined based on the evidence is whether or not the landlord is entitled to monetary compensation for rental arrears owed.

### **Background and Evidence**

The landlord submitted into evidence a copy of the 10-Day Notice to End Tenancy dated August 16, 2011 with effective date of August 26, 2011 and proof of service of the Notice of Hearing.

The landlord testified that the tenancy began on June 1, 2011, with rent of \$1,200.00 and at which time the tenant paid a security deposit of \$600.00. The landlord testified that the tenant failed to pay \$1,200.00 rent for the month of August due on August 1, 2011 and a Ten Day Notice to End Tenancy for Unpaid Rent was served. The landlord testified that although the tenant has vacated the unit she did not pay the arrears and this amount is being sought.

### **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.

I find that the landlord has established a total monetary claim of \$1,250.00 comprised of \$1,200.00 rental arrears and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the security deposit of \$600.00 in partial satisfaction of the claim leaving a balance due of \$650.00.

### **Conclusion**

I hereby grant the Landlord an order under section 67 for \$650.00. 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: September 27, 2011.

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Residential Tenancy Branch