



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNSD MNDC FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on September 14, 2011, the tenants did not participate in the conference call hearing.

At the outset of the hearing, the landlord stated that the tenants moved out of the rental unit as of October 1, 2011. Accordingly, I dismissed the portion of the landlord's application regarding an order of possession.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on March 6, 2011. Rent in the amount of \$840 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 tenants in the amount of \$420. The tenants failed to pay \$300 of their rent in August 2011 and paid no rent in the month of September 2011, and on September 2, 2011 the landlord served the tenant with a notice to end tenancy for non-payment of rent. On September 30, 2011 the remaining tenant informed the landlord that he would not be able to pay the rent and he would be moving out the next day.

The landlord has claimed \$300 in unpaid rent for August 2011, \$840 for September 2011 and \$840 for October 2011.

Analysis

Based on the landlord's undisputed evidence, I find that she has established a claim for \$1980 in unpaid rent and lost revenue. The landlord is also entitled to recovery of the \$50 filing fee for the cost of her application.

Conclusion

The landlord is entitled to \$2030. I order that the landlord retain the security deposit of \$420 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1610. This order may be 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*.

Dated: October 12, 2011.

Residential Tenancy Branch