



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND MNR MNSD MNDC FF

### 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.

At the outset of the hearing the landlord stated that he was able to personally serve one of the two tenants with his application for dispute resolution and notice of the hearing on July 29, 2011. However, he could not confirm the mailing address of the other tenant, and was unable to serve her. I therefore amended the landlord's application to only name the tenant who was served with the landlord's application and notice of the hearing.

### Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

### Background and Evidence

The tenancy began on February 3, 2010. Rent in the amount of \$1250 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 \$625.

On April 30, 2011 the landlord served the tenant a notice to end tenancy for unpaid rent. On May 25, 2011 the landlord was granted an order of possession pursuant to the notice to end tenancy. On June 2, 2011 the landlord served the order of possession on the tenant. The tenant did not comply with the order, and on June 8, 2011 the landlord had a bailiff remove the tenant. The tenant did not pay rent for May or June 2011, and they failed to pay outstanding utilities. Further, the tenant damaged the rental unit and did not clean before vacating.

The landlord has claimed \$2500 in unpaid rent and lost revenue for May and June 2011; \$303.63 for unpaid utilities; \$780.42 for cleaning and repairs; and \$1470.09 in

bailiff and court fees. The landlord provided photographs and receipts to support his claim.

### Analysis

I accept the landlord's undisputed evidence and find that he is entitled to his claim in its entirety.

As the landlord's claim was successful, he is also entitled to recovery of the \$50 filing fee for the cost of his application.

### Conclusion

The landlord is entitled to \$5104.14. I order that the landlord retain the security deposit of \$625 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$4479.14. 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: November 11, 2011.

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Residential Tenancy Branch