



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:**    OPR, MNR, 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 November 5, 2010 and a monetary order for rent owed.

Although served with the Application for Dispute Resolution and Notice of Hearing in person on September 15, 2011, the tenant did not appear.

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

The landlord stated that she is no longer seeking an Order of Possession as the tenant vacated the unit on September 21, 2011. The landlord still seeks a monetary order claiming unpaid rent for the month of September and accrued arrears.

The issue to be determined, based on the testimony and evidence, is whether or not the landlord is entitled to monetary compensation.

### **Background and Evidence**

The landlord testified that the tenancy began on September 1, 2011, at which time the tenant paid a security deposit of \$540.00. The landlord testified that the tenant had accrued arrears of \$725.00 and then failed to pay the \$1,080.00 rent owed for the month of September 2011. The landlord testified that a 10-Day Notice to End Tenancy for Unpaid Rent was issued and served. The landlord submitted into evidence a copy of the 10-Day Notice to End Tenancy dated September 5, 2011, a copy of the tenant's ledger and a copy of the tenancy agreement.

### **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 outstanding rent and did not apply to dispute the Notice.

I find that the landlord has established a total monetary claim of \$1,855.00 comprised rental arrears of \$1,805.00 and the \$50.00 fee paid by the landlord for this application. I

order that the landlord retain the security deposit of \$540.00 in partial satisfaction of the claim leaving a balance due of \$1,315.00.

**Conclusion**

I hereby grant the Landlord an order under section 67 for \$1,315.00. This order must be served on the Respondent and 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: October 13, 2011.

---

Residential Tenancy Branch