



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute codes OP MNR MNSD FF

Introduction

This hearing dealt with an application by the landlord for an order for possession, a monetary order and an order allowing retention of the security deposit in partial satisfaction of the claim. The landlord also requested recovery of the filing fee for this application. Although served with the Application for Dispute Resolution and Notice of Hearing sent by registered mail on September 21, 2011 the tenant did not appear.

At the outset of the hearing the landlord withdrew her request for an order of possession.

Issues

Is the landlord entitled to the requested orders?

Background, Evidence & Analysis

This tenancy began on April 1, 2010 and ended on September 30, 2011. The rent was \$1,160.00 due in advance on the first day of each month. A security deposit of \$580.00 was paid at the start of the tenancy. On August 2, 2011 the tenant was served with a Notice to End Tenancy for non-payment of rent. The tenant did not pay the outstanding rent and did not file an application to dispute the Notice.

The tenant vacated the rental unit on September 30, 2011 but the tenant still owes \$580.00 in rent for September.

Conclusion

I find that the landlord has established a total monetary claim of \$630.00 comprised of \$580.00 in unpaid rent and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the deposit and interest of \$580.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$50.00. 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*.