



Dispute Resolution Services

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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. Although served with the Application for Dispute Resolution and Notice of Hearing sent by registered mail on September 29, 2011 the tenants did not appear.

At the outset of the hearing the landlord advised that the tenants vacated on September 30, 2011 and that an order of possession was no longer needed.

Issues

Is the landlord entitled to the requested orders?

Background and Evidence

This tenancy began on August 1, 2011. The rent was \$900.00 due in advance on the first day of each month. A security deposit of \$450.00 was paid at the start of the tenancy. On September 10, 2011 the tenants were served with a Notice to End Tenancy for non-payment of rent. The tenants did not pay the outstanding rent and did not file an application to dispute the Notice. The tenants subsequently moved out on September 30, 2011 having never paid the September rent.

Conclusion

I find that the landlord has established a total monetary claim of \$950.00 comprised of \$900.00 in unpaid rent for September and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the deposit and interest of \$450.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$500.00. 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*.