



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNSD, FF

Introduction

This hearing dealt with an application by the landlords for 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 sent to the forwarding address she provided to the landlords, the tenant did not participate in the conference call hearing.

Issue to be Decided

Are the landlords entitled to a monetary order as claimed?

Background and Evidence

The landlords' undisputed testimony is as follows. The tenant was obligated to pay \$1,000.00 per month in rent and was responsible for payment of utilities. In April 2011 she paid just \$350.00 and in May 2011 she paid no rent whatsoever. The landlords hold a \$550.00 security deposit which was paid on May 1, 2009. The tenant gave notice in April 2011 that she would be vacating the rental unit in May and she did indeed vacate on or about May 15, 2011. When the tenancy ended, the tenant left an outstanding balance of \$68.09 owing for utilities which the landlord testified would be added to their tax bill for the year.

Analysis

I accept the landlords' undisputed testimony and I find that the tenant failed to pay all the rent that was owing in April and May. Although the tenant vacated midway through the month of May, I find that she is liable for the entire month as pursuant to section 45 of the Act, the notice could not have been effective earlier than May 31, 2011. I find that the landlords are entitled to recover the unpaid rent and I award them \$1,650.00. I further find that the tenant failed to pay the \$68.09 balance owing to the city for utilities and I accept that this amount will be added to the landlords' taxes at the end of the year.

I award the landlords \$68.09. As the landlords have been successful in their claim, I award them the \$50.00 filing fee paid to bring this application.

Conclusion

The landlords have been awarded \$1,768.09. I order the landlords to retain the \$550.00 security deposit in partial satisfaction of the claim and I grant them a monetary order under section 67 for the balance of \$1,218.09. This order may be filed in the Small Claims Division of the Provincial 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 02, 2011

Residential Tenancy Branch