



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MND, MNDC, MNR, MNSD, OPB

Introduction

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant(s) testified that the respondent(s) was served with notice of the hearing by registered mail that was mailed on October 18, 2011; however the respondent(s) did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for an Order of Possession, a request for a monetary order for \$1900.00, and request for recovery of the filing fee. The applicant is also requesting an order to keep the full security deposit towards this claim.

Background and Evidence

The applicant testified that:

- She is withdrawing a request for an Order of Possession, because the respondent has already vacated the rental unit and she has regained possession.
- The respondent did not move out of the rental unit until October 26, 2011, however the respondent did not pay the full rent for the month of October 2011 and there is still \$600.00 rent outstanding.
- The tenant also failed to pay the moving fee required by the strata, and therefore she has had to pay the \$200.00 fee.
- The tenant also failed to return all the keys to the rental unit and therefore she is had to have one of the security keys replaced at a cost of \$75.00.

The applicant is therefore requesting an order as follows:

October 2011 rent outstanding	\$600.00
Strata moving fees	\$200.00
Replace security keys	\$75.00
Filing fee	\$50.00
Total	\$925.00

The applicant further requests an order allowing her to keep the full security deposit of \$600.00 towards the claim and requests a monetary order be issued for the balance.

Analysis

It is my finding that the landlord has shown that there is still \$600.00 rent outstanding for the month of October 2011 and therefore I allow that portion of the claim.

I also accept the landlord's testimony that the tenant failed to pay the strata moving fees and failed to return all the security keys and therefore I also allow those portions of the claim.

I also allow the landlords request for recovery of the \$50.00 filing fee.

Conclusion

I have allowed the landlords full reduced claim of \$925.00 and I therefore order that the landlord may retain the full security deposit of \$600.00, and I have issued a monetary order in the amount of \$325.00.

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 08, 2011.

Residential Tenancy Branch