



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR FF

Introduction

This hearing dealt with an application by the landlord for an order of possession and a monetary order. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on November 19, 2011, the tenants did not participate in the conference call hearing.

At the outset of the hearing, the landlord stated that the tenants moved out of the rental unit in late November. Accordingly, I dismissed the portion of the landlord's application regarding an order of possession.

The landlord submitted additional evidence that they did not serve on the tenants. I therefore did not admit or consider that evidence.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on May 1, 2011. Rent in the amount of \$625 was payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$312.50. The tenants failed to pay rent in the month of November 2011 and on November 2, 2011 the landlord served the tenants with a notice to end tenancy for non-payment of rent. The tenants also failed to pay \$70 owing for hydro for November.

Analysis

Based on the undisputed evidence, I find that the landlord has established a claim for \$695 in unpaid rent and hydro. The landlord is also entitled to recovery of the \$50 filing fee for the cost of their application.

Conclusion

The landlord is entitled to \$745. I order that the landlord retain the security deposit of \$312.50 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$432.50. 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*.

Dated: December 15, 2011.

Residential Tenancy Branch