



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** OP, MN, FF

### **Introduction**

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for orders as follows:

1. A monetary order pursuant to Section 67;
2. An Order of Possession pursuant to Section 55; and
3. An Order to recover the filing fee pursuant to Section 72.

I accept that the tenant was properly served with the Notice to End Tenancy and the Application for Dispute Resolution hearing package by way of personal service.

Both parties appeared.

On the basis of the solemnly sworn evidence presented at the hearing a decision has been reached.

### **Issue(s) to be Decided**

Whether the landlord has cause to end this tenancy and receive an Order of Possession and whether the landlord is entitled to monetary order for unpaid rent and recovery of the filing fee.

### **Background and Findings**

#### **Order of Possession**

The tenant testified that she has now vacated the rental unit. An Order of Possession is therefore no longer required.

#### **Monetary Order**

##### ***Rental Arrears***

I find that there are rental arrears and I therefore grant the landlord a monetary order in the sum of \$1,600.00 representing rent of \$800.00 for each of October and November 2011.

***Filing Fees***

I find that the landlord is entitled to recover the filing fees paid for this application.

***Calculation of total Monetary Award***

The landlord holds a security deposit of \$375.00 paid January 28, 2011 and a pet damage deposit of \$375.00 paid April 1, 2011. I will use the offsetting provisions of Section 72 of the Act to allow the landlords to retain this sum in partial satisfaction of the monetary award made in favour of the landlords as follows:

Rental Arrears	\$1,600.00
Filing Fees for the cost of this application	50.00
Less security deposit off-set	-750.00
Total Monetary Award	\$900.00

**Conclusion**

The landlord is provided with a formal copy of an order for the total monetary award as set out above. Should the tenant(s) fail to comply with this Order, this Order may be filed and enforced as an Order of the Provincial Court of British Columbia.

Dated: November 14, 2011.

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Residential Tenancy Branch