



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNSD FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Both the landlords and the tenant participated in the conference call hearing.

At the outset of the hearing, the landlord stated that they had received an order of possession on an application for an early end of tenancy. The landlord therefore did not require an order of possession pursuant to this application, and I dismissed the portion of this application regarding an order of possession.

The landlord also stated that they were awarded their \$50 filing fee on their application for an early end of tenancy, and ordered to retain that amount from the security deposit. The amount of the security deposit is therefore reduced by \$50.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on August 20, 2011. Rent in the amount of \$650 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 \$320. The tenant failed to pay rent in the months of October and November 2011. The tenant acknowledged that he did not pay rent for October and November 2011.

Analysis

I find that the landlord has established a claim for \$1300 in unpaid rent and lost revenue. The landlord is also entitled to recovery of the \$50 filing fee for this application.

Conclusion

The landlord is entitled to \$1350. I order that the landlord retain the balance of the security deposit of \$270 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1080. 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 5, 2011.

Residential Tenancy Branch