



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR, MNDC, MNSD, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for a monetary order for unpaid rent, strata fines and for the filing fee. The landlord also applied to retain the security deposit.

The landlord served the notice of hearing on the tenant by registered mail and filed a tracking number. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to a monetary order for unpaid rent, strata fines and for the filing fee? Is the landlord entitled to retain the security deposit?

Background and Evidence

The landlord testified that the tenancy started on March 01, 2009. The rent was \$1,550.00 due on the first of each month. The tenant paid a security deposit of \$775.00. The rental unit is a condo in an apartment building.

Fines in the amount of \$800.00 were levied on the landlord due to the tenant smoking inside the rental unit. The landlord filed copies to support her testimony. The tenant gave a one month notice to end the tenancy effective October 31, 2011. On October 01, the tenant failed to pay rent and moved out without doing so.

The landlord is claiming the \$1,550.00 for rent for October, \$800.00 for the strata fines and \$50.00 for the filing fee.

Analysis

Based on the sworn testimony of the landlord and in the absence of any contradictory evidence, I accept the landlord's evidence in respect of the claim. I find that the landlord has established a claim for unpaid rent, strata fines and the filing fee for a total of \$2,400.00.

I order that the landlord retain the security deposit of \$775.00 and I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the balance due of \$1,625.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order in the amount of **\$1,625.00**.

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: January 17, 2012.

Residential Tenancy Branch