



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNSD, MNDC, FF

Introduction

This hearing dealt with an application by the landlord seeking a monetary order for unpaid rent and an order to retain the security deposit in partial satisfaction of the claim. The landlord participated in the conference call hearing but the tenant(s) did not. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing by registered mail on November 2, 2011. I found that the tenants had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence. The landlord gave affirmed evidence.

Issues to be Decided

Is the landlord entitled to a monetary order for unpaid rent?

Background and Evidence

The tenancy began on or about August 1, 2009 and ended due to another dispute resolution hearing on November 7, 2011. Rent in the amount of \$685.00 is payable in advance on the first day of each month. At the outset of the tenancy the landlord collected from the tenant a security deposit in the amount of \$525.00. The landlord was given an order of possession at the previous hearing and the purpose of today's hearing was to address unpaid rent. The tenant had rental arrears from September 2011 to November 7, 2011 totalling \$894.81 as of today's hearing.

Analysis

I accept the landlord's undisputed testimony and I find that the tenant has not made any payments to settle any rental arrears. The landlord has satisfied me that they are entitled to a monetary order.

As for the monetary order, I find that the landlord has established a claim for \$894.81 in unpaid rent. The landlord is also entitled to recovery of the \$50.00 filing fee. I order that the landlord retain the \$525.00 deposit. I grant the landlord an order under section 67 for the balance due of \$419.81. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted a monetary order for \$419.81. The landlord may retain the security deposit.

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 18, 2012.

Residential Tenancy Branch