



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR

Introduction

This hearing dealt with an application by the landlord for an order of possession and a monetary order for unpaid rent. The hearing first convened on January 30, 2012. I adjourned the hearing to allow the parties to submit further requested evidence.

The hearing reconvened on February 21, 2012. On that date, the tenant stated that she was in the process of moving out of the rental unit. The parties agreed that the landlord was entitled to an order of possession effective February 26, 2012. Accordingly, I grant the landlord an order of possession.

Issue(s) to be Decided

Is the landlord entitled to a monetary order?

Background and Evidence

The landlord and the tenant agreed that the monthly rent is \$1350. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$675. The tenant failed to pay \$290 of the rent for December 2011, and paid no rent for January 2012 or February 2012. The tenant also incurred two NSF fees of \$20 each. The tenant did not dispute that she owed these amounts.

Analysis

Based on the undisputed evidence regarding the monetary claim, I find that the landlord is entitled to the amounts claimed.

Conclusion

I grant the landlord an order of possession effective February 26, 2012. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The landlord is entitled to \$3030. I order that the landlord retain the security deposit of \$675 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$2355. 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: February 21, 2012.

Residential Tenancy Branch