



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNSD, MNDC, O, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order for unpaid rent, to keep all or part of the security deposit, money owed or compensation due to damage or loss, other and recovery of the filing fee.

The landlord participated in the conference call hearing but the tenant did not. The landlord presented evidence that the tenant was served with the application for dispute resolution and notice of hearing in person. I found that the tenant 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.

Issue(s) to be Decided

Is the landlord entitled to any of the above under the Act.

Background and Evidence

The landlord testified that on February 29, 2012 the tenant gave the landlord notice to vacate the rental unit March 31, 2012. The landlord stated that the tenant then had his rent cheque from the ministry stopped and the \$500.00 March 2012 rent not paid.

The landlord in this application is seeking to keep the \$250.00 security deposit as partial compensation for the unpaid March 2012 rent and a monetary order for the balance that is due.

The landlord stated that the tenant also vacated the rental unit without completing any cleaning, trash and discarded personal items were left in the rental unit and the tenant did not return the keys to the landlord. The landlord understands that they are at liberty to come back to this office to seek compensation for cleaning costs and damages.

Analysis

Based on the documentary evidence and undisputed testimony of the landlord, I find on a balance of probabilities that the landlord is entitled to a monetary order for unpaid rent.

I accept the landlord's testimony that the tenant vacated the rental unit without paying the \$500.00 March 2012 rent. Accordingly I find that the landlord is entitled to a monetary order for \$500.00.

As the landlord has been successful in their application the landlord is entitled to recovery of the \$50.00 filing fee.

Conclusion

I find that the landlord has established a monetary claim for \$500.00 in unpaid rent. The landlord is also entitled to recovery of the \$50.00 filing fee. I order the landlord pursuant to s. 38(4) of the Act to keep the tenant's \$250.00 security deposit in partial satisfaction of the claim and I grant the landlord a monetary order under section 67 for the balance due of **\$300.00**.

If the amount is not paid by the tenant(s), the Order may be filed in the Provincial (Small Claims) Court of British Columbia 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: May 3, 2012

Residential Tenancy Branch