



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNDC, 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. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on April 23, the tenant did not participate in the conference call hearing.

At the outset of the hearing, the landlord advised that the tenant had vacated the rental unit and withdrew the claim for an order of possession.

Issue to be Decided

Is the landlord entitled to a monetary order for unpaid rent and loss of income?

Background and Evidence

The landlord's undisputed testimony is as follows. The tenant was obligated to pay \$1,150.00 in rent 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 \$575.00. The tenant failed to pay rent in the month of April 2012.

Analysis

I accept the landlord's undisputed testimony and I find that the tenant failed to pay rent for April. I find that the landlord is entitled to recover the \$1,150.00 in rental arrears as well as the \$50.00 filing fee paid to bring this application. I order that the landlord retain the \$575.00 security deposit in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$625.00. 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 \$625.00 and will 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: May 10, 2012

Residential Tenancy Branch