



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNSD MNDC 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 13, 2012, the tenant did not participate in the conference call hearing.

At the outset of the hearing, the landlord stated that the tenant had vacated the rental unit. I therefore dismissed the portion of the landlord's application regarding an order of possession.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on February 1, 2010. Rent in the amount of \$825 was 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 of \$350 and a pet deposit of \$100. The tenant failed to pay rent in the month of April 2012 and on April 13, 2012 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The tenant vacated the rental unit and the landlord was unable to re-rent the unit for May 2012 because the unit requires extensive repairs and cleaning. The landlord has claimed \$1650 in unpaid rent and lost revenue.

Analysis

Based on the landlord's undisputed evidence, I find that the landlord has established a claim for \$1650 in unpaid rent. The landlord is also entitled to recovery of the \$50 filing fee.

Conclusion

The landlord is entitled to \$1700. I order that the landlord retain the security and pet deposits of \$450 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1250. 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: May 14, 2012.

Residential Tenancy Branch