



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR 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 24, 2012, the tenant did not participate in the conference call hearing.

At the outset of the hearing, the landlord stated they became aware on May 9, 2012 that the tenant had vacated the rental unit. Accordingly, I 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 July 1, 2010. Rent in the amount of \$1877 was payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$900. The tenant failed to pay rent in the month of April 2012 and on April 11, 2012 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The landlord applied for recovery of April 2012 rent.

Analysis

Based on the landlord's undisputed evidence, I find that the landlord has established a claim for \$1877 in unpaid rent for April 2012. It is open to the landlord to make a further application for lost revenue for May 2012. The landlord is also entitled to recovery of the \$50 filing fee.

Conclusion

The landlord is entitled to \$1927. I order that the landlord retain the security deposit of \$900 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1027. 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 16, 2012.

Residential Tenancy Branch